

भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० १८] नई दिल्ली, शनिवार, मई ६, १९६७/ वैशाख १६, १८८९
 No. 18] NEW DELHI, SATURDAY, MAY 6, 1967/VAISAKHA 16, 1889

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

नोटिस

NOTICE

नीचे 'लघु भारत' के प्रसाधारण राजपत्र २० अप्रैल, १९६७ तक प्रकाशित किये गये :—

The undermentioned Gazettes of India Extraordinary were published up to the 20th April, 1967 :—

Issue No.	No. and Date	Issued by	Subject
224	S.O. 1351, dated 14th April, 1967.	Ministry of Information and Broadcasting.	Approval of the films as specified therein.
225	S.O. 1352, dated 14th April, 1967.	Cabinet Secretariat]	Amendments in the Government of India (Allocation of Business) Rules, 1961.
226	S.O. 1353, dated 15th April, 1967.	Election Commission, India.]	Calling upon the elected members of the Legislative Assembly of the State of Mysore to elect a person to fill the vacancy in the Council of States.
	S.O. 1354, dated 15th April, 1967.	Do.]	Appointment of dates for the above election (S.O. 1353).
	S.O. 1355, dated 15th April, 1967.	Do.]	Fixation of hours for [the above election (S.O. 1353).
	S.O. 1356, dated 15th April, 1967.	Do.	Designating the Secretary, Mysore Legislature to be the Returning Officer for the above election (S.O. 1353).

Issue No.	No. and Date	Issued by	Subject
	S.O. 1357, dated 15th April, 1967.	Election Commission, India.	Appointing the Deputy Secretary Mysore Legislature to assist the Returning Officer for the above election (S.O. 1353).
227	S.O. 1358, dated 15th April, 1967.	Do.	Bye-election to the House of the People from the 1-Srikakulam Parliamentary Constituency.
228	S.O. 1359, dated 15th April 1967.	Do.	Fixation of places of Polling and specifications of Group of Electors for the Presidential and Vice-Presidential Election.
	S.O. 1360, dated 15th April, 1967.	Do.	Specification of hours for the Presidential Election.
229	S.O. 1361, dated 17th April, 1967.	Do.	Calling upon the elected members of the Legislative Assembly of the State of Rajasthan to elect a person to fill the vacancy in the Council of States.
	S.O. 1362, dated 17th April, 1967.	Do.	Appointment of dates for the above election (S.O. 1361).
	S.O. 1363, dated 17th April, 1967.	Do.	Fixation of hours for the above election (S.O. 1361).
	S.O. 1364, dated 17th April, 1967.	Do.	Designating the Secretary, Rajasthan Legislative Assembly to be the Returning Officer for the above election.
	S.O. 1365, dated 17th April, 1967.	Do.	Appointing the Deputy Secretary, Rajasthan Legislative Assembly to assist the Returning Officer for the above election.
230	S.O. 1366, dated 17th April, 1967.	Do.	Calling upon the elected members of the Legislative Assembly of the State of Rajasthan to elect a person to fill the vacancy in the Council of States.
	S.O. 1367, dated 17th April, 1967.	Do.	Appointment of dates for the above election (S.O. 1366).
	S.O. 1368, dated 17th April, 1967.	Do.	Fixation of hours for the above election (S.O. 1366).
	S.O. 1369, dated 17th April, 1967.	Do.	Designating the Secretary, Rajasthan Legislative Assembly to be the Returning Officer for the above election (S.O. 1366).
	S.O. 1370, dated 17th April, 1967.	Do.	Appointment of the Deputy Secretary, Rajasthan Legislative Assembly to assist the Returning Officer for the above election (S.O. 1366).
231	S.O. 1371, dated 17th April, 1967.	Do.	Calling upon the elected members of the Legislative Assembly of the State of Uttar Pradesh to elect a person to fill the vacancy in the Council of States.

Issue No.	No. and Date	Issued by	Subject
	S.O. 1372, dated 17th April, 1967.	Election Commission, India.	Appointment of dates for the above election (S.O. 1371).
	S.O. 1373, dated 17th April, 1967.	Do.	Fixation of hours for the above election (S.O. 1371).
	S.O. 1374, dated 17th April, 1967.	Do.	Designating the Secretary, Uttar Pradesh Legislature to be the Returning Officer for the above election (S.O. 1371).
	S.O. 1375, dated 17th April, 1967.	Do.	Appointing the Secretary, Uttar Pradesh Legislative Assembly to assist the Returning Officer for the above election (S.O. 1371).
232	S.O. 1376, dated 17th April, 1967.	Do.	Calling upon the elected members of the Legislative Assembly of the State of Uttar Pradesh to elect a person to fill the vacancy in the Council of States.
	S.O. 1377, dated 17th April, 1967.	Do.	Appointment of dates for the above election (S.O. 1376).
	S.O. 1378, dated 17th April, 1967.	Do.	Fixation of hours for the above election (S.O. 1376).
	S.O. 1379, dated 17th April, 1967.	Do.	Designating the Secretary, Uttar Pradesh Legislature to be the Returning Officer for the above election (S.O. 1376).
	S.O. 1380, dated 17th April, 1967.	Do.	Appointment of the Secretary, Uttar Pradesh Legislative Assembly to assist the Returning Officer for the above election (S.O. 1376).
233	S.O. 1430, dated 17th April, 1967.	Ministry of Home Affairs.	Constitution of an Advisory Board for the Preventive Detention Act, 1950 (4 of 1950).
234	S.O. 1431, dated 17th April, 1967.	Election Commission, India.	Further amendment in Notification No. 434/MT/66(II), dated 9th February, 1967.
235	S.O. 1432, dated 17th April, 1967.	Ministry of Commerce.	Further amendment to the Exports (Control) Order, 1962.
236	S.O. 1433, dated 18th April, 1967.	Ministry of Health and Family Planning.	Nomination of some persons to be members of the Post Graduate Institute of Medical Education and Research, Chandigarh.
237	S.O. 1434, dated 18th April, 1967.	Election Commission, India.	Corrigenda to S.O. 767, dated 4th March, 1967.
238	S.O. 1435, dated 18th April, 1967.	Ministry of Industrial Development and Company Affairs.	Fixation of the sale price of the Tractor specified in the Schedules therein.

Issue No.	No. and Date	Issued by	Subject
239	S.O. 1436, dated 18th April, 1967.	Ministry of Commerce.	Appointment of the Iron and Steel controller as Director for the purposes of the Essential Commodities (Regulation of Production and Distribution for purposes of Export) Order, 1966 with regard to all or any of the categories of Iron and Steel.
240	S.O. 1437, dated 18th April, 1967.	Ministry of Labour, Employment and Rehabilitation.	Award of the Industrial Tribunal ¹ Orissa.
241	S.O. 1438, dated 18th April, 1967.	Lok Sabha Secretariat.	List of valid nomination for the election to the office of Vice-President of India.
	एस० भो० 1439, दिनांक 18 अप्रैल, 1967	लोक सभा सचिवालय	भारत के उपराष्ट्रपति के पद के निर्वाचन के लिए मान्य नाम निर्देशनों की सूची ।
242	S.O. 1440, dated 18th April, 1967.	Rajya Sabha Secretariat.	List of valid nominations for election to the office of President of India.
	एस० भो० 1441, दिनांक 18 अप्रैल, 1967	राज्य सभा सचिवालय	भारत के राष्ट्रपति के पद के निर्वाचन के लिए मान्य नाम-निर्देशनों की सूची ।
243	S.O. 1442, dated 20th April, 1967.	Ministry of Information and Broadcasting.	Approval of the films as specified therein.
244	S.O. 1443, dated 20th April, 1967.	Election Commission, India.	Fixation of the place of polling for the Vice-Presidential Election.
245	S.O. 1444, dated 20th April, 1967.	Ministry of Commerce.	Further amendment to the Exports (Control) Order, 1962.
246	S.O. 1445, dated 20th April, 1967.	Election Commission, India.	Bye-election to the House of the People from the Udhampur Parliamentary Constituency.
247	S.O. 1446, dated 20th April, 1967.	Ministry of Commerce.	The Imports (Control), Second Amendment Order 1967.

ऊपर लिखे प्रसाधारण राजपत्रों की प्रतियां प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम धीमेपत्र भेजने पर भेज दी जाएंगी। मगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II-खण्ड 3-उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories),

MINISTRY OF LAW

(Legislative Department)

New Delhi, the 27th April 1967

S.O. 1558.—In exercise of the powers conferred by clause (5) of Article 324 of the Constitution, the President is pleased to make the following rules regarding death-cum-retirement gratuity in respect of Shri K. V. K. Sundaram, Chief Election Commissioner:—

- (1) The benefits of the scheme regarding death-cum-retirement gratuity for the officers of the former I.C.S. introduced in the Ministry of Home Affairs letter No. F. 29/20/61-AIS-II, dated the 7th December, 1963 shall be extended to the said Chief Election Commissioner.
- (2) The said Chief Election Commissioner shall exercise his option in the matter within three months from the date of issue of this notification.
- (3) The option by the said Chief Election Commissioner shall be exercised in writing and communicated to the Accountant General concerned.
- (4) The option once exercised by the said Chief Election Commissioner shall be final.
- (5) If the said Chief Election Commissioner fails to opt for the scheme within the specified period, he shall not be entitled to the benefits of the scheme.

[No. F. 4(11)/67-Elec.]

S. P. SEN-VARMA, Secy.

The following translation in Hindi of the Government of India, Ministry of Law, Legislative Department Notification No. S.O. G.F.(Pl.), dated the 27th April, 1967, is hereby published under the authority of the President and shall be deemed to be the authoritative text thereof in Hindi under clause (b) of Sub-section (1) of Section 5 of the Official Languages Act, 1963 (19 of 1963).

विधि मंत्रालय

विधायी विभाग

नई दिल्ली, 27 अप्रैल, 1967

एस० नो० 1559—संविधान के अनुच्छेद 324 के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राष्ट्रपति, अपने प्रसाद से, श्री के० वी० के० सुन्दरम्, मुख्य निर्वाचन आयुक्त की बाबत मृत्यु-एवं-निवृत्ति उपदान के बारे में निम्न लिखित नियम बनाते हैं:—

- (1) मृत्यु-एवं-निवृत्ति उपदान के बारे में जो स्कीम भूतपूर्व आई० सी० एस० के आफिसरों के लिये गृह-मंत्रालय के पत्र संख्या फा० 29/20/61-ए० आई० एस०

- . 11, तारीख 7 दिसम्बर, 1965 के द्वारा प्रवृत्त की गई थी उक्त फांसे उक्त मुख्य निर्वाचन आयुक्त के लिये विस्तारित किए जाने हैं।
- (2) उक्त मुख्य निर्वाचन आयुक्त इन अप्रियुक्त के निकाले जाने की तारीख से तीन मास के भीतर इस विषय में अपने विकल्प का प्रयोग करेंगे।
 - (3) उक्त मुख्य निर्वाचन आयुक्त द्वारा विकल्प का प्रयोग लिखित रूप में किया जाएगा और सम्पुक्त महा लेखा पाल को समूचित किया जाएगा।
 - (4) उक्त मुख्य निर्वाचन आयुक्त द्वारा एक बार प्रयोग किया गया विकल्प अन्तिम होगा।
 - (5) यदि उक्त मुख्य निर्वाचन आयुक्त विनिर्दिष्ट कालावधि के भीतर स्कीम के लिये विकल्प का प्रयोग करने में असफल रहता है, तो वह स्कीम के फायदों का हकदार नहीं होगा।

[सं० फा० 4(11)/67-निर्वा०]

एस० पी० सेन-वर्मा, सचिव।

MINISTRY OF HOME AFFAIRS

New Delhi, the 25th April 1967

S.O. 1560.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898 (5 of 1898), the Central Government hereby appoints Shri V. P. Raman, Advocate of Madras as Public Prosecutor to conduct before the High Court of Judicature at Madras Special Leave Petition under article 134 (1)(c) of the Constitution arising out of the decision of the High Court at Madras in Criminal Appeals No. 34 to 38 of 1965 and Criminal R.C. No. 364 of 1965—*K. T. Kosalram and others versus the State of Madras.*

[No. 225/15/67-AVD. II.]

N. KRISHNAMACHARI, Under Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)
New Delhi, the 27th April 1967

S.O. 1561.—Statement of the Affairs of the Reserve Bank of India as on the 21st April 1967.

BANKING DEPARTMENT

LIABILITIES	RS.	ASSETS	RS.
Capital Paid Up	5,00,00,000	Notes	20,93,56,000
		Rupee Coin	2,77,000
Reserve Fund	80,00,00,000	Small Coin	3,49,000
National Agricultural Credit (Long Term Operations) Fund	115,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal	—
		(b) External	—
		(c) Government Treasury Bills	209,41,62,000
National Agricultural Credit (Stabilisation) Fund	16,00,00,000	Balances Held Abroad*	38,61,75,000
National Industrial Credit (Long Term Operations) Fund	20,00,00,000	Investments**	218,39,06,000
		Loans and Advances to :—	
		(i) Central Government	—
		(ii) State Governments @	101,39,63,000

LIABILITIES		ASSETS	
	Rs.		Rs.
Deposits:—		Loans and advances to:—	
(a) Government		(i) Scheduled Commercial Banks†	41,26,25,000
		(ii) State Co-operative Banks‡	1,38,21,21,000
		(iii) Others	3,19,05,000
(i) Central Government	58,54,47,000	Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund:—	
(ii) State Governments	13,61,99,000	(a) Loans and Advances to:—	
		(i) State Governments	28,29,59,000
		(ii) State Co-operative Banks	11,65,03,000
		(iii) Central Land Mortgage Banks	—
(b) Banks		(b) Investment in Central Land Mortgage Bank Debentures	7,11,93,000
(i) Scheduled Commercial Banks	134,42,97,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund:—	
(ii) Scheduled State Co-operative Banks	4,84,93,000	Loans and Advances to State Co-operative Banks	3,26,46,000
(iii) Non-Scheduled State Co-operative Banks	82,04,000		
(iv) Other Banks	9,49,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund:—	
(c) Others	267,18,47,000	(a) Loans and Advances to the Development Bank	5,24,15,000
Bills Payable	33,89,61,000	(b) Investment in bonds/debentures issued by the Development Bank	—
Other Liabilities	116,29,32,000	Other Assets	38,67,74,000
	Rupees		Rupees
	865,73,29,000		865,73,29,000

*Includes Cash and Short-term Securities.

**Excluding investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 22,01,90,000 advanced to scheduled commercial banks against usance bills under section 17(4)(c) of the Reserve Bank of India Act.

‡Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 26th day of April 1967.

AN ACCOUNT pursuant to the Reserve Bank of India Act, 1934, for the week ended the 21st day of April 1967.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department.	20,93,56,000		Gold Coin and Bullion :—		
Notes in circulation	3095,90,13,000		(a) Held in India	115,89,25,000	
Total Notes issued		3116,83,69,000	(b) Held outside India	
			Foreign Securities	186,42,01,000	
			TOTAL		302 31,26,000
			Rupee Coin		74,60,84,000
			Government of India Rupee Securities		2739,91,59,000
			Internal Bills of Exchange and other commercial paper		..
TOTAL LIABILITIES		3116,83,69,000	TOTAL ASSETS		3116,83,69,000

Dated the 26th day of April, 1967.

P. C. BHATTACHARYA,
Governor.

[No. P.3(3)-BC/67.]

V. SWAMINATHAN, Under Secy.

(Department of Revenue & Insurance)

INCOME-TAX

New Delhi, the 22nd April 1967

S.O. 1562.—In exercise of the powers conferred by sub-section 23 of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies 'Polo' as one of the games for the purposes of the said section.

[No. 28/F. No. 37/2/67-IT(AI).]

J. C. KALRA, Dy. Secy.

(Department of Revenue and Insurance)

ORDER

STAMPS

New Delhi, the 6th May 1967

S.O. 1563.—In exercise of the powers conferred by sub-section (2) of Section 20 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby makes the following amendment to the notification of the Government of India in the late Finance Department (Central Revenues) No 125-Stamps/25 dated the 18th September, 1925, namely:—

In the said notification for the table, the following table shall be substituted, namely:—

Name of the Country	Name of the Currency	Exchange rate in Indian Currency
		Rs.
United Kingdom	Pound	21.00
Pakistan	Rupee	1.57
France	Franc	1.52
United States of America	Dollar	7.50
Canada	Dollar	6.94
Malaysia	Dollar	2.45
Hongkong	HK. Dollar	0.76
Burma	Kyat	1.57
Mexico	Peos	0.60
Japan	Yen	0.21
Iran	Ria	0.99

[No. 3/67—F. No. 1/70/66-Cus.VII.]

M. S. SUBRAMANYAM, Under Secy.

CENTRAL EXCISE COLLECTORATE, BOMBAY

CENTRAL EXCISES.

Bombay, the 20th April 1967

S.O. 1564.—In exercise of the powers conferred on me under Rule 5 of the Central Excise Rules, 1944, and in supersession of the Bombay Central Excise Collectorate Notification No. CER/5/1/65, dated the 13th September, 1965, I empower the Central Excise Officers specified in

column 3 of the sub-joined Table to exercise within the jurisdiction of the Bombay Central Excise Collectorate, the powers of the Collector under the Central Excise Rules, enumerated in column No. 2 thereof, subject to the limitations set out in column 4 of the said Table.

TABLE

S.No.	Central Excise Rules.	Rank of Officer.	Limitations, if any.
(1)	(2)	(3)	(4)
1.	191-A	Dy. Collector of Central Excise, Bombay.	Power for approval of manufacturing formula.
2.	191-A(2), (3), (4), (5), (7), (9), (11) & (10A).	Asstt. Collector of Central Excise (Refunds), Bombay.	Except in regard to the approval of the manufacturing formula, which power shall be exercised by the Dy. Collector of Central Excise, Bombay.
3.	191-A (8) & (15).	Asstt. Collector of Central Excise (having jurisdiction over the factory).	
4.	191-B.	Dy. Collector of Central Excise, Bombay.	Power for approval of manufacturing formula.
5.	191-B (5)		Where the duty involved in each case does not exceed :
		(i) Dy. Collector of Central Excise, Bombay.	Rs. 1,000/-.
		(ii) Assistant Collector of Central Excise, Bombay.	Rs. 1,000/-.
		(iii) Superintendent of Central Excise, Bombay.	Rs. 250/-
6.	191-B.	Assistant Collector of Central Excise, (having jurisdiction over the factory).	Powers in respect of all procedural matters enumerated in the Rule, read with various Notifications issued thereunder.

[No. CER/5/1/67.]

Bombay, the 25th April 1967

S.O. 1565.—In exercise of the powers conferred on me under rule 5 of the Central Excise Rules, 1944 I empower the Central Excise Officer specified in column 2 of the sub-joined Table to exercise within the jurisdiction of the Bombay Central Excise Collectorate, the powers of the Collector under the Central Excise Rules, enumerated in Column 1 thereof subject to the limitations set out in column 3 of the said Table.

TABLE

Central Excise Rules.	Rank of Officer	Limitation, if any.
1	2	3
47 & 53	Asstt. Collector of Central Excise.	Power to grant Permission to the manufacturers of excisable goods, not to make entries in R. G.1/E. B. 4 on the dates when there is no production, receipt in store room or clearance of excisable goods.

[No. CER/5/2/67.]

A. K. ROY, Collector.

CENTRAL EXCISE COLLECTORATE, POONA

Poona, the 17th April 1967

S.O. 1566.—In exercise of the powers vested in me under Rule 5 of the Central Excise Rules, 1944, I order that the following amendments shall be made in this Collectorate Notification No. CER. 4/63, dated 18th December, 1963.

I. In the table annexed to the notification—against S. No. III, after the entries relating to Rule 48, the following entries shall be inserted in columns 3 and 4, namely—

Col. 3.

Col. 4.

49 Subject to the condition that the amount of duty due on the goods to be destroyed as unfit for consumption or for marketing does not exceed Rs. 250 in each case.

II. Against S. No. IV, for the existing entries in Col. 4 against Rule 49, the following shall be substituted, namely—

(i) In respect of goods deemed to be unfit for consumption or for marketing subject to the condition that the duty involved on such goods does not exceed Rs. 1,000 in each individual case.

[No. C.E.R. 2/67.]

M. C. DAS, Collector.

COLLECTORATE OF CENTRAL EXCISE, CALCUTTA & ORISSA, CALCUTTA

Calcutta, the 25th April 1967

S.O. 1567.—In exercise of the powers conferred on me by Rule 5 of the Central Excise Rules, 1944, I hereby authorise the Central Excise Officers not below the rank of an Assistant Collector in the Collectorate of Central Excise, Calcutta & Orissa, to exercise the powers of Collector under the proviso to Rule 53 of the Central Excise Rules, 1944.

[No. 3-CE/1967.]

N. MOOKHERJEE, Collector.

MINISTRY OF COMMERCE

(Office of the Jt. Chief Controller of Imports & Exports)

(Central Licensing Area)

ORDER

New Delhi, the 13th March 1967

S.O. 1568.—Whereas Messrs. Mayfair Products (India), 0-10, Industrial Area, Sonapat (Haryana) or any bank or any other person have not come forward furnishing sufficient cause, against Notice No. M-21/65/ENF/CLA/2809 dated 15th February 1967 proposing to cancel licence No P/SS/1579307/C/XX/19/C/XX/19/C/D/19-20 dated 30th March 1965 for the import of Acrylic Plastic Moulding Powder etc. for Rs. 5500/- granted to said M/s Mayfair Products (India), Sonapat by the Joint Chief Controller of Imports & Exports, (Central Licensing Area), New Delhi, Govt. of India, in the Ministry of Commerce in exercise of the powers conferred by the Clause 9 of the Import (Control) Order, 1955, hereby cancel the said

licence No. P/SS/1579307/C/XX/19/C/ dated 30th March 1965 issued to M/s. Mayfair Products (India) Sonapat.

[No. M-21/65/ENF/CLA/3187.]

K. RAJARAMAN,

Jt. Chief Controller.

(Office of the Chief Controller of Imports & Exports)
ORDER

New Delhi, the 1st April 1967

S.O. 1569.—In exercise of the powers conferred by Clause 9 of the Import Control Order 1955, dated 7th December 1955 as amended, the undersigned hereby cancels both the Customs Purposes Copy and Exchange Purposes Copy of Import Licence No. G/RC/2085900/S/IA/24/CH/23 dated 29th October 1966, for the import of 'Alternator Diesel Engine Protection equipment, etc.' valued at Rs. 2500/- issued in favour of M/s. Westinghouse Saxby Farmer Private Limited, 17, Convent Road, Entally, Calcutta.

The reason for the cancellation is that the licensee was able to locate indigenous source of supply.

[No. 27-W/Rly/66-67/LVI/60.]

S. A. SESHAN, Dy. Chief Controller

MINISTRY OF STEEL, MINES & METALS
(Department of Mines & Metals)

New Delhi, the 24th April 1967

S.O. 1570.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the Office of the National Coal Development Corporation Limited (Revenue Section), Darbhanga House, Ranchi or at the Office of the Collector, Betul (MP) or at the Office of the Coal Controller, 1-Council House Street, Calcutta.

All persons interested in the lands mentioned in the said Schedule shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer of the National Coal Development Corporation Limited, Darbhanga House, Ranchi within ninety days from the date of publication of this notification.

SCHEDULE
GOGRI BLOCK
Pathakhera coalfield

Drg. No. Rev/9/67
Dated 23-2-67
(Area notified for prospecting)

Sl. No.	P. C. No.	Village	Village No.	District & Tahsil	Area	Remarks
1.	25	Gogri (12)	183/1	Betul		Part
2.	25	Pathakhara (13)	424/1	"		"
3.	25	Bkrampur (14)	496/1	"		"
4.	25	Moringri (15)	566/1	"		"
5.	26	Bakur (18)	476/1	"		"
6.		Ranipur (Reserved forest)	R.F.	"		"

Total area 4000.00 acres (approximately)
OR: 1620.00 Hectares (approximately)

Boundary description:

- A-B** Line passes through Ranipur R.F. i.e. along the eastern boundary of Pathakhera Block-II, notified U/s 7(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 861 dated 14th March, 1966 and meets at point 'B'.
- B-C-D-D/1** Lines pass through Ranipur R.F. i.e. along the eastern boundary and part Southern boundary of Pathakhera Block-A acquired U/s 9(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 2760 dated 19th September, 1963 and meet at point 'D/1'.
- D/1-E-F** Lines pass through Ranipur R.F. i.e. along the eastern and part southern boundary of Pathakhera Block-II notified U/s 7(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 861 dated 14th March, 1966 and meet at point 'F'.
- F-G-H** Lines pass through Ranipur R.F. through villages Gogri and Bikrampur, along the part Western boundary of village Bikrampur, through village Bakur and meet at point 'H'.
- H-I-J** Lines pass through villages Bakur, Mordingri, Pathakhera and Ranipur Reserve Forest and meet at point 'J'.
- J-A** Line passes along the part Southern boundary of Towa Nalla and meets at point 'A'.

[No. C2-22(1)/67.]

RAM SAHAY, Dy. Secy.

MINISTRY OF HEALTH AND FAMILY PLANNING**(Department of Health)***New Delhi, the 28th April 1967*

S.O. 1571.—Whereas the Calcutta University, Calcutta has, in pursuance of the provisions of clause (d) of Section 3 of the Dentists Act, 1948 (16 of 1948), elected Dr. A. K. Sen, M.B. (Calcutta), D.Ph. (London), F.R.C.S. (England), 162/21/1, Lake Gardens, Calcutta-31, to be a member of the Dental Council of India with effect from the 20th March, 1967.

And whereas the Government of Andhra Pradesh has, in pursuance of clause (e) of section 3 of the Dentists Act, 1948 nominated Dr. Tajammul Hussain, M.B.B.S., L.D.S., H.E.S. (England), Professor of Oral Surgery, Dental Wing, Osmania Medical College, Hyderabad, to be a member of the Dental Council of India with effect from the 5th March, 1967.

Now, therefore, in pursuance of section 3 of the said Act, the Central Government hereby directs that Dr. A. K. Sen shall continue to be a member of the Dental Council of India and makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. F. 3-2/62-MIL, dated the 17th October, 1962, name'y:—

In the notification, under the heading "Nominated under clause (e) of section 3" for the entry against serial No. 1 the following entry shall be substituted, namely:—

"Dr. Tajammul Hussain, M.B.B.S., L.D.S., H.E.S. (England),
Professor of Oral Surgery, Dental Wing, Osmania Medical College,
Hyderabad".

[No. F.3-3/67-MPT.]

New Delhi, the 1st May 1967

S.O. 1572.—Whereas the Central Government have, in pursuance of the provisions of clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), nominated in consultation with the Government of Punjab, Dr. K. Moti Singh, PCMSI, Director of Health Services, Punjab, to be a member of the Medical Council of India with effect from the 28th February 1967, vice Dr. D. Bhatia who has resigned.

Now, therefore, in pursuance of the provisions of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further

amendment in the notification of the Government of India in the Ministry of Health No. F. 5-13/59-MI dated the 9th January, 1960, namely:—

In the said notification, under the heading “nominated under clause (a) of sub-section (1) of section 3”, for the entry against serial No. 11, the following entry shall be substituted, namely:—

“Dr. K. Moti Singh, PCMSI, Director of Health Services, Punjab”.

[No. F. 4-5/66-MPT.]

S.O. 1573—Whereas in pursuance of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. B. B. Ohri, Dean, Faculty of Medicine of the University of Indore and Dean, Mahatma Gandhi Memorial Medical College, Indore, has been elected by the members of the Council of the University of Indore to be a member of the Medical Council of India with effect from the 16th March, 1967;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Health No. F. 5-13/59-MI dated the 9th January, 1960:—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of section 3 for the entry against serial No. 33, the following entry shall be substituted:—

“Dr. B. B. Ohri, Dean, Faculty of Medicine of the University of Indore and Dean, Mahatma Gandhi Memorial Medical College, Indore”.

[No. F. 4-5/66-MPT.]

V. K. SAMANTROY, Under Secy.

(Department of Health)

New Delhi, the 29th April 1967

S.O. 1574.—It is notified for the information of general public that the second edition of the Indian Pharmacopoeia has been published and that it will be treated as the current edition with effect from the 1st June, 1967.

2. In this connection, attention is invited to entry 5(a) of the Second Schedule to the Drugs and Cosmetics Act, 1940.

[No. F. 1-4/67-D.]

AMAR NATH VARMA, Under Secy.

MINISTRY OF TRANSPORT & SHIPPING

(Transport Wing)

New Delhi, the 27th April 1967

S.O. 1575.—In exercise of the powers conferred by sub-section (1) of section 15 of the Merchant Shipping Act, 1958. (44 of 1958), read with rules 3 and 9 of the Shipping Development Fund Committee (General) Rules, 1960, the Central Government hereby appoints Shri K. V. Sankaran, Deputy Secretary in the Ministry of Transport and Shipping as a Member and as the Secretary of the Shipping Development Fund Committee with effect from 15th April 1967. *vice* Shri K. Ranganathan, and make the following further amendments in the notification of the Government of India in the late Ministry of Transport and Communications (Department of

Transport) (Transport Wing) No. 33-MS(222)/58-II, dated the 17th March, 1959, namely:—

In the said notification, for the existing entries against serial No. 6, the following entries shall be substituted, namely:—

S. No. 1	Name of the Member 2	Date of Appointment 3
6.	Shri K. B. Sankaran, Deputy Secretary to the Government of India Ministry of Transport and Shipping	15th April 1967

2. In paragraph 2 of the said notification, for the name 'Shri K. Ranganathan', the name 'Shri K. V. Sankaran' shall be substituted.

[No: 35-MD(9)/67.]

JASWANT SINGH, Under Secy.

(Transport Wing)

PORTS

New Delhi, the 29th April 1967

S.O. 1576.—In exercise of the powers conferred by section 18 of the Calcutta Port Act, 1890 (Bengal Act III of 1890) the Central Government is pleased to authorise the Commissioners for the Port of Calcutta to raise on the 1st May, 1967, a debenture loan of Rs. 200 lakhs (Rupees Two hundred lakhs), repayable on the 1st May, 1979.

[No. 9-PG(29)/67.]

K. L. GUPTA, Under Secy.

DEPARTMENT OF COMMUNICATIONS

(P. & T. Board)

New Delhi, the 8th March 1967

S.O. 1577.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627, dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 31st March 1967, as the date on which the Measured Rate System will be introduced in TIRUPATHI Telephone Exchange.

[No. 5-9/67-PHB.]

New Delhi, the 27th April, 1967

S.O. 1578.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S. O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 16th May, 1967 as the date on which the Measured Rate System will be introduced in CHIDAMBARAM Telephone Exchange.

[No. 5-22/67-PHB(2).]

D. R. BAHL, Asstt. Director Genl. (PHB).

संचार विभाग

(शक-सार बोर्ड)

नई दिल्ली, 8 मार्च 1967

एस० नो० 1579.—स्थायी प्रादेश क्रमसंख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये 1951 के भारतीय तार नियमों के नियम 434 के खण्ड III के पैरा (क) के

अनुसार डाक-तार महानिदेशक ने निरूपणी टेलीफोन केन्द्र में 31 मार्च, 1967 में प्रमाणित दूर-प्रणाली लागू करने का निश्चय किया है।

(सं० 5-9/67-पी०एच०बी०)

नई दिल्ली, 27 अप्रैल 1967

एस० ओ० 1580.—स्थायी आदेश क्रमसंख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये 1951 के भारतीय तार नियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने चिदम्बरम् टेलीफोन केन्द्र में 16-5-67 में प्रमाणित दूर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-22/67-पी० एच० बी० (2)]

डी० आर० बहल,

सहायक महानिदेशक (पी०एच०बी०)।

MINISTRY OF IRRIGATION AND POWER

New Delhi, the 27th April 1967

S.O. 1581.—In exercise of the powers conferred by clause (g) of sub-section (1) of section 79 of the Punjab Re-organisation Act, 1966 (31 of 1966), the Central Government hereby specifies the following work, namely:—

“220 KV transmission line from Indraprastha Power Station, Delhi to Ballabgarh.”

[No. 6/5/66-B.&B.]

K. P. MATHRANI, Secy.

MINISTRY OF EDUCATION

CORRIGENDUM

New Delhi, the 25th April 1967

S.O. 1582.—In the Ministry's notification No. F. 19-55/62-H.I., dated the 21st December, 1966 published under S.O. No. 33 in the Gazette of India, Part II Section 3-Sub-Section (ii), No. 1 dated the 7th January, 1967 on page 30, the date of the Ministry of Education S.O. 2327 may be amended to read as '29th July, 1966'.

[No. F. 19-55/62-H. I.]

N. S. BHATNAGAR, Under Secy.

शिक्षासंस्थान

शुद्धि पत्र

नई दिल्ली, दिनांक 25 अप्रैल 1967

एस० ओ० 1583.—भारत के राजपत्र भाग II खण्ड 3 उपखण्ड (II) संख्या 1 दिनांक 7-1-1967 के पृष्ठ 30 पर का० आ० सं० 33 के अन्तर्गत प्रकाशित मंत्रालय

की अधिसूचना सं० एफ० 19-55/62 एच 1 दिनांक 21-12-1966 में शिक्षा मंत्रालय का० आ० सं० 2327 की तारीख को बदल कर '29 जुलाई 1966' पढ़ा जाए।

[सं० एफ० 19-55/62-एच० 1.]

एच० एच० भट्टनागर,

अवर सचिव (भाषा)

MINISTRY OF WORKS, HOUSING AND SUPPLY

(Department of Works and Housing)

(Directorate of Estates)

POLICY CELL

New Delhi, the 28th April 1967

S.O. 1584.—In pursuance of the provisions of rule 45 of the Fundamental Rules, the President hereby makes the following further amendments to the Allotment of Government Residences (General Pool in Delhi) Rules, 1963, published with the notification of the Government of India in the late Ministry of Works, Housing & Rehabilitation (Department of Works & Housing) No. S. O. 1330 dated the 6th May, 1963, namely:—

1. These rules may be called the Allotment of Government Residences (General Pool in Delhi) Second Amendment Rules, 1967.
2. In the Allotment of Government Residences (General Pool in Delhi) Rules, 1963, in clause (n) of S. R. 317-B-2, at the end, the words "and also deputation to a post in an ineligible office or organisation" shall be inserted.

[No. F. 12033(3)/67-Pol.]

K. C. JOSHI, Dy. Secy.

DELHI DEVELOPMENT AUTHORITY

NOTICE

New Delhi, the 6th May 1967

S.O. 1585.—Notice under Section 11 of the Delhi Development Act, 1957 (No. 61 of 1957).

Notice is hereby given that:—

- (a) The Central Government have, under sub-section (2) of Section 9 of the Delhi Development Act, 1957 (No. 61 of 1957), approved the Zonal development plan for Zones F-1 (Friends Colony) and F-7 (Okhla).
- (b) a copy of the plan as approved may be inspected at the office of the Delhi Development Authority, Delhi Vikas Bhawan, 'D'-Block Indra-prastha Estate, New Delhi-1 between the hours of 11.00 A.M. & 3.00 P.M. on all working days.

[No. F. 3(179)/62-M.P.]

B. C. SARKAR, Addl. Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 24th April 1967

S.O. 1586.—In exercise of the powers conferred by clause (a) of sub-section (2) of section 6 of the Cinematograph Act, 1952 (37 of 1952), the Central Government hereby directs that the films, the names and other details of which are given in the Table below and in respect of which certificates for public exhibition were

granted by the Board of Film Censors, shall be deemed to be uncertified films in the whole of India with effect from the date of issue of this notification:—

TABLE

Sl. No.	Name of the film	No. and date of certificate	Name and address of the person in whose favour the certificate has been granted.
1	2	3	4
1.	Women by Night (English)	1570-A dated the 5th February, 1964.	Shri F.C. Mehra, Messrs Eagle Films, 220, Famous Cine Building, Mahalaxmi, Bombay-1.
2.	Universe by Night (English)	1536-A dated the 10th November, 1964.	Rank Film Distributors of India Ltd., Dharnaur Building, Sir Phirozeshah Mehta Road, P. O. Box 737 Fort Bombay-1.
3.	Orient by Night (English)	1608-A dated the 18th May, 1965.	M/s Goodwin Pictures 62, Ben-tinck Street, Calcutta-1.
4.	Women of the World. (English)	1598-A dated the 14th April, 1965.	Columbia Films of India Ltd., Metro House, Mahatma Gandhi Road, Bombay-1.
5.	Parish Champagne (English)	1582-A dated the 10th March, 1965.	Mudnancy Films Service, Kathoke Lodge, Main Road, Dadar, Bombay-1.
6.	Sweet Sweet Nights (English)	1644-A dated the 13th August, 1965.	Noronha Private Ltd., Liberty Building, 41-42 Marine Lines, Bombay-1.
7.	Tokyo by Night (English)	1564-A dated the 14th January, 1965.	Educational Film of India (Division) of Film Library Pvt. Ltd., 190, Dr. Dadabhai Naoroji Road, Bombay-1.
8.	Copacabana Palace (English)	1573-A dated the 17th February, 1965.	Educational films of India (Division of Film Library, Pvt. Ltd.,) 190, Dr. Dadabhai Naoroji Road, Bombay-1.
9.	America by Night (English)	1563-A dated the 14th January, 1965.	Noronha Private Ltd., Liberty Building, 41-42 Marine Lines, Bombay-1.
10.	World by Night (English)	1168-A dated the 28th November, 1967.	Warner Brothers, First National Pictures, Eros Cinema Building 42, Queen's Road, Bombay-1.
11.	World by Night No. 2 (English)	1348-A dated the 15th January, 1963.	Warner Brothers, First National Pictures, Eros Cinema Building 42, Queen's Road, Bombay-1.

[No. F. 9/18/65-FC.]

R. L. JAIN, Under Secy.

ORDERS

New Delhi, the 24th April 1967

S.O. 1587.—In pursuance of the Directions issued under the provisions of the enactments specified in the first Schedule annexed hereto, the Central Government after considering the recommendation of the Film Advisory Board, Bombay hereby approves films specified in column 2 of the second Schedule annexed hereto in all their language versions to be of the description specified against each in column 6 of the said second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section (4) of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XI of 1953).
- (3) Sub-Section (4) of Section 5 and Section 9 of Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

THE SECOND SCHEDULE

S. No.	Title of the film	Length 35mm	Name of the Applicant	Name of the producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5	6
1.	Maharashtra News No. 298·70 M 177 February, 67		Director of Publicity, Government of Maharashtra, Bombay-34.		Film dealing with news and current events (for release in Maharashtra Circuit only).
2.	Maharashtra News No. 289·86M 178		Do	Do.	Do.
3.	Maharashtra gha Vardayini (Part I)	223·11M	Do.	Do.	Film intended for educational purposes (for release in Maharashtra Circuit only).
4.	Maharashtracha Vardayini (Part II)	292·91M	Do.	Do.	Do.
5.	Sulabh Krishi Bhoo Khat Pustike.	298·70M	Do.	Do.	Do.
6.	Nava Bhoomiputra	293·M	Do.	Do.	Do.
7.	Aajachi Jwari Katha Nyari.	296 M	Do.	Do.	Do.
8.	Batoline Batla to Jan- matun Uthala.	305M	Do.	Do.	Do.
9.	Jawariche Bharghos Pk Ghya.	304·80M	Director of Agriculture Govt. of Maharashtra, Poona.		Do.
10.	Pikanchi Jeevan Olit	296·88M	Do.	Do.	Do.
11.	Sagaravar Maat.	299·62 M	Director of Publicity, Govt. of Maharashtra, Bombay-34.		Do.
12.	Jasa Peral Tasa Ugavcl	152·40M	Do.	Do.	Do.
13.	Mahadevacha Prasad	138·60 M	Do.	Do.	Do.

[No. F. 24/1/67-FP App. 1161.]

S.O. 1588.—In pursuance of the directions issued under the provisions of each of the enactments specified in the First Schedule annexed hereto, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Second Schedule annexed hereto in Gujarati to be of the description specified against each in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section 4 of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).
- (3) Sub-Section (4) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

THE SECOND SCHEDULE

Sl. No.	Title of the film	Length 35mm	Name of the Applicant	Name of the Producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
1	2	3	4	5	6
1.	Mahitichitra No. 78.	217 31M	Director of Government Ahmedabad.	Information, of Gujarat,	The film dealing with news and current events (for release in Gujarat Circuit only).
2.	Mahitichitra No. 79	248 39M	Do.	Do.	Do.
3.	Gatt Ane Salamati.	366M	Do.	Do.	Film intended for educational purposes (for release in Gujarat circuit only).

[No. F. 24/1/67-FP App. 1162.]

S O. 1589.—In pursuance of the Directions issued under the provisions of each of the enactments specified in the first Schedule annexed hereto, the Central Government after considering the recommendation of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the second Schedule annexed hereto in all their language versions to be of the description specified against each in column 6 of the said second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section (4) of Section 5 of the Uttar Pradesh Cinemas (Regulation) Act, 1955 (Uttar Pradesh Act No. 3 of 1956).

THE SECOND SCHEDULE

S. No.	Title of the film	Length 35mm	Name of the Applicant	Name of the Producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5	6
1.	Vikas Ke Vardan	579 12 M	Director of Govt. of Uttar Pradesh, Lucknow.	Information, Govt. of Uttar Pradesh, Lucknow.	Documentary film (for release in U.P. Circuit only).
2.	Andhere Se Ujale Me Kal Ke Samik	406 24 M 294 12 M	Do. V. Prabhakar, 20, Mehta Estates No. 4, Dadar, Bombay-28.	Do. Director of Information, Govt. of U.P., Lucknow.	Do. Documentary film (for release in U.P. Circuit only).

[No. F. 24/1/67-FP App. 1163.]

S.O. 1590.—In pursuance of the Directions issued under the provisions of each of the enactments specified in the first Schedule annexed hereto, the Central Government after considering the recommendation of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the second Schedule annexed hereto in all its language versions to be of the description specified against it in column 6 of the said second schedule.

THE FIRST SCHEDULE

- (1) Sub-Section (3) of Section 5 of the West Bengal Cinemas (Regulation) Act, 1954 (West Bengal Act XXXIX of 1954).

THE SECOND SCHEDULE

S. No.	Title of the film	Length 35mm	Name of the Applicant	Name of the Producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
1	2	3	4	5	6
1.	Swami Abhedananda .	609.60 m	Sri Sri Ashrama Suri, 2 Saha Lane, Calcutta-36.	Ramakrishna P.K.	Documentary film (for release in West Bengal circuit only).

[No. F. 24/1/67-FP App. 1164.]

D. R. KHANNA, Dy. Secy.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 25th April 1967

S.O. 1591.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs N.B.S. Rubber Industries, 104, S. K. Deb Road, Pratipukur, Calcutta-48, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment, with effect from the 1st day of April, 1967.

[No. 8/45/67/PF-II.]

S.O. 1592.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Almonard, 75, D. Annie Besant Road, Bombay-18, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of May 1967.

[No. 8/47/67/PF-II.]

S.O. 1593.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Century Chemicals, Murbad Road, Kalyan, District Thana, Maharashtra State, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of May, 1967.

[No. 8/48/67 PF-II.]

S.O. 1594.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Lit Engineering Services Private Limited, 35, Chittaranjan Avenue, Calcutta-12, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st April 1967.

[No. 8/41/67-PF-II.]

S.O. 1595.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Maruthi Textiles, Sree Suryodaya Mills Compound, Yeswantpur, Bangalore-22, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the Act to the said establishment with effect from the 1st April, 1967.

[No. 8/44/67-PF-II.]

S.O. 1596.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Himatsingka Auto Enterprises, North Lakkhimpur Road, Tezpur, Assam have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of March, 1966.

[No. 8/9/66-PF. II.]

S.O. 1597.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Urvasi Cinema, Gauhati, Assam, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of December, 1965.

[No. 8/9/66-PF. II (i).]

S.O. 1598.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bardolla Textile Mills Patelwadi, Lal Darwaja, Surat—3 (Gujarat State) have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. 8(8) 66-PF. II.]

S.O. 1599.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs United Engineering Corporation, 147, Rashtrapathi Road, Secunderabad Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of April, 1966.

[No. 8/46/67/PF-II.]

S.O. 1600.—In exercise of the powers conferred by sub-section (i) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), and in modification of the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 1123 dated the 8th April, 1963, the Central Government hereby appoints Shri C. Narayana Menoky to be an Inspector for the whole of the State of Kerala and also Mahe area of the Union territory of Pondicherry for the purposes of the said Act and of any scheme framed thereunder, in relation to any establishment belonging to or under the control of the Central Government, or in relation to any establishment connected with a railway company, a major port, a mine or an oil-field, or a controlled industry.

[No. 20(85)65. PF.I (vi).]

New Delhi, the 26th April 1967

S.O. 1601.—In exercise of the powers conferred by sub-section (2) of section 5D of the Employees' Provident Funds Act, 1952 (19 of 1952) and in modification of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3625, dated the 24th November, 1966, the Central Government hereby appoints Shri K. A. Ansari, as Regional Provident Fund Commissioner for the whole of the State of Andhra Pradesh and the Yanam area of the Union territory of Pondicherry also to assist the Central Provident Fund Commissioner in the discharge of his duties.

[No. 20(85)65-PFI(iii).]

S.O. 1602.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952) and in modification of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3626, dated the 24th November, 1966, the Central Government hereby appoints Shri K. A. Ansari to be an Inspector for the whole of the State of Andhra Pradesh and the Yanam area of the Union territory of Pondicherry also for the purposes of the said Act and of any scheme framed thereunder, in relation to any establishment belonging to, or under the control of the Central Government, or in relation to any establishment connected with a railway company, a major port, a mine or an oil-field, or a controlled industry.

[No. 20(85)65-PFI(iv).]

S.O. 1603.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies that with effect from the 1st March, 1967, section 6 of the said Act shall, in its application to Messrs X-Coat Company, B 9 and 10, Industrial Estate, Sanatnagar, Hyderabad-18, be subject to the modification that for the words "six and a quarter per cent", the words "eight per cent" shall be substituted.

[No. 8/54/67/PF-II.]

S.O. 1604.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs X-Coat Company, B 9 and 10, Industrial Estate, Sanatnagar, Hyderabad-18 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of March, 1967.

[No. 8/54/67/PF-II.]

S.O. 1605.—Whereas the Central Government was satisfied that M/s. Central Workshops Nagarjunasagar Dam was situated in Vijayapuri (North) area which was a sparse area (that is, an area whose insurable population was less than 500) in the district of Nalgonda in the State of Andhra Pradesh;

And, whereas by virtue of its location in a sparse area, the aforesaid factory was granted exemption from the payment of the employer's special contribution under section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948) until enforcement of the provisions of Chapter V of the Act in that area by the Central Government in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 860 dated the 13th March, 1963;

And, whereas the Central Government is satisfied that the insurable population of the Vijayapuri (North) area in the district of Nalgonda in the State of Andhra Pradesh has now exceeded 500 and it is no longer a sparse area;

Now, therefore, in exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 860 dated the 13th March, 1963, namely:—

In the Schedule to the said notification in the entries against Sl. No. 13, in columns 3 and 4, the entries "Vijayapuri (North)" and "M/s Central Workshops, Nagarjunasagar Dam" shall be omitted.

[File No. 6(21)/67-HI.]

New Delhi, the 27th April 1967

S.O. 1606.—In exercise of the powers conferred by sub-section (2) of section 5D of the Employees Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the late Department of Social Security No. S.O. 3644 dated the 20th November, 1965, the Central Government hereby appoints Shri K. S. Naik as Regional Provident Fund Commissioner for the whole of the State of Madras and the Pondicherry and Karaikal areas of the Union territory of Pondicherry to assist the Central Provident Fund Commissioner in the discharge of his duties *vice* Shri C. A. Davies.

[No. 20(85)65-PFI(i).]

S.O. 1607.—In exercise of the powers conferred by sub-section (2) of section 5D of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 1122 dated the 8th April, 1963, the Central Government hereby appoints Shri C. Narayana Menoky as Regional Provident Fund Commissioner for the whole of the State of Kerala and Mahe area of the Union territory of Pondicherry to assist the Central Provident Fund Commissioner in the discharge of his duties.

[No. 20(85)65-PF-I(v).]

New Delhi, the 1st May 1967

S.O. 1608.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the late Department of Social Security No. S.O. 3643 dated the 20th November, 1965, the Central Government hereby appoints Shri K. S. Naik to be an Inspector for the whole of the State of Madras, and the Pondicherry and Karaikal areas of the Union territory of Pondicherry for the purposes of the said Act and of any scheme framed thereunder, in relation to establishments belonging to, or under the control of the Central Government, or in relation to establishments connected with a railway company, a major port, a mine or an oil-field, or a controlled industry *vice* Shri C. A. Davies.

[No. 20(85)/PF-I(ii).]

DALJIT SINGH. Under Secy.

(Department of Labour and Employment)

New Delhi, the 25th April 1967

S.O. 1609.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, No. 2, Calcutta, in the industrial dispute between the employers in relation to the South Samla Colliery, Post Office Pandaveswar, District Burdwan and their workmen, which was received by the Central Government on the 24th April, 1967.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2,
CALCUTTA

REFERENCE NO. 76 OF 1966

PARTIES:

Employers in relation to the South Samla Colliery.

AND

Their workmen.

PRESENT:Shri S. K. Sen—*Presiding Officer.***APPEARANCES:***On behalf of Employers:* Shri Tushar Kanti Bhattacharyya.*On behalf of Workmen:* Shri Kalyan Roy, Vice-President, Colliery Mazdoor Sabha.**STATE:** West Bengal.**INDUSTRY:** Coal Mines.**AWARD**

By Order No. 6/58/65-LRII dated 5th January, 1966, the Central Government referred for adjudication an industrial dispute between the employers in relation to the South Samla Colliery, P.O. Pandaveswar, Distt. Burdwan and their workmen in respect of the subject matter mentioned in the following schedule:

(1) Whether the management of South Samla Colliery was justified in not allowing Shri Sibb Harijan, On-setter to resume duty from the first week of December, 1964?

(2) If not, to what relief is he entitled?"

2. According to the case of the union, the Colliery Mazdoor Sabha, Sibb Harijan was working at South Samla Colliery as On-setter and was a permanent employee contributing to the Provident Fund; but he was stopped from work from the first week of December, 1964. The union took the case before the Conciliation Officer, Raniganj. Before the Conciliation Officer the case of the management was that Sibb Harijan was only a badli worker who worked for a few weeks in the month of November, 1964 and that he did not present himself for work from 3rd December, 1964; but that he was still being kept on the badli list. As there was no settlement before the Conciliation Officer, the matter was referred to the tribunal.

3. The case was fixed for hearing on 29th May, 1967 but on 4th April, 1967 the parties appeared before the tribunal and filed a joint petition stating that the dispute had been settled amicably. Under the terms of the settlement the management has recognised that Sibb Harijan was in permanent service during the years 1961, 1962 and 1963 and the union has admitted that during 1964 the workman did not attend to his work. Accordingly, it has been agreed that Sibb Harijan shall be deemed to have been retrenched with effect from 1st January, 1964 and that he will receive retrenchment compensation for the three years of his service and that the compensation would be paid at the colliery office on 28th May, 1967. The terms appear to be satisfactory and the agreement is, therefore, accepted. An award is made in terms of the petition of compromise which shall form part of the award.

Sd/- S. K. SEN,
Presiding Officer.

Dated, 5th April 1967.

BEFORE THE INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA

In the matter or Reference No. 76 of 1966

BETWEEN

Employers in relation to South Samla Colliery, P.O. Pandaveswar, Distt: Burdwan.

AND

Their Workmen.

In the matter of the aforesaid dispute, reference No. 76 of 1966 it is submitted as under:—

(1) That reference No. 76 of 1966 is pending before this Honourable Tribunal and relates to not allowing Sree Sibhu Harijan, On-setter, to resume his duty from the 1st week of December, 1964 by the management of South Samla Colliery and that this dispute has been raised by the Union, Colliery Mazdoor Sabha, G.T. Road, Asansol.

(2) That the management and the Union have compromised this dispute on the following terms without prejudice to the respective rights of the parties.

Terms of settlement

(a) That Sree Sibhu Harijan, On-setter, shall be deemed as retrenched from service from the 1st January, 1964 since the workman concerned had not attended work throughout the year 1964.

(b) That the workman concerned shall be paid retrenchment compensation for the year 1961, 1962, 1963 i.e. the three years of his service and this compensation amount shall be paid on 28th May, 1967 at the Colliery office.

(c) That Sree Sibhu Harijan the workman concerned shall have no other claims whatsoever on the Company.

(3) That both the management and the Union request the Honourable Tribunal to give its Award in terms of this settlement.

For this the parties shall ever pray as in duty bound.

PARTIES.

For Workmen.
KALYAN ROY,
4-4-67

For Management
D. J. SHETHIA,
4-4-67

[No. 6/58/65-LRII.]

New Delhi, the 26th April, 1967

S.O. 1610.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, No. 2, Calcutta, in the industrial dispute between the employers in relation to the Saltore Colliery of Messrs Burrakar Coal Company Limited, Post Office Sijua, District Dhanbad and their workmen which was received by the Central Government on the 24th April, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA

REFERENCE No. 112 OF 1966

PARTIES:

Employers in relation to the Saltore Colliery of Messrs Burrakar Coal Company Limited,

AND

Their workmen.

PRESENT:

Shri S. K. Sen—Presiding Officer.

APPEARANCES:

On behalf of Employers.—Shri D. Narsingh, Advocate.

On behalf of Workmen.—Shri S. N. Banerjee, Advocate.

STATE: Bihar.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/45/66-LR II, dated 25th June 1966, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Saitore Colliery of M/s. Burrakar Coal Company Limited, P.O. Sijua, Dist. Dhanbad, and their workmen in respect of the subject matter mentioned in the following schedule:

"1. Whether the action of the management of the Saitore Colliery of Messrs Burrakar Coal Company Limited, in terminating the services of Sarvshri Lamboo Kamar, Blacksmith and Mahabir Saw, Pump Khalasi, with effect from the 29th October, 1965 and 1st December, 1965 respectively was justified?

2. If not, to what relief are the two workmen entitled?"

2. The case of the union, the Colliery Mazdoor Congress, HMS, on behalf of the two workmen is briefly as follows—a unit of the Colliery Mazdoor Congress, HMS, was established at Saitore Colliery in 1963. There was another union in existence at Saitore from before. The management did not recognise the newly established union, the Colliery Mazdoor Congress, HMS, and were displeased with the employees who joined the new union. Both the workmen concerned in this case, Lamboo Kamar and Mahabir Saw joined the new union. The output of the colliery having gone down considerably, the management wanted to reduce the number of workmen, and instead of retrenching surplus men in accordance with the provisions of Section 25F and 25G of the Industrial Disputes Act, adopted the policy of sending a large number of old workmen, mostly members of the Colliery Mazdoor Congress, to the Medical Officer of the Colliery for medical examination for fitness and a large proportion of these old workers were declared unfit without proper medical examination, and their services were terminated on that ground. The services of Lamboo Kamar were terminated with effect from 23rd October 1965 and that of Mahabir Saw with effect from 30th November, 1965. Each of them was offered one week's pay in lieu of notice in accordance with the Standing Orders. The workmen however refused to accept the notice pay and complained to the Union, and the union started a dispute case before the Conciliation Officer. Under the advice of the Conciliation Officer, the Secretary of the Union sent the two workmen, Lamboo Kamar and Mahabir Saw, for examination by the Medical Board of Kalla Central Hospital, Asansol. After their examination the Secretary to the Superintendent, Kalla Central Hospital wrote the letters, Ext. 2(a) and 2(b) to the Assistant Secretary, Colliery Mazdoor Congress, Asansol, reporting that Mahabir Saw and Lamboo Kamar respectively had been found fit for work. These letters were produced by the union before the Conciliation Officer, but the management refused to reconsider their decision with regard to Lamboo Kamar and Mahabir Saw.

3. The case of the management is that the two workmen were properly examined by the Medical Officer of the Colliery; that they had been found unfit for work and the services of the two workmen were terminated, each of them being offered one week's pay in lieu of notice and that this action on the part of the management was perfectly legal and correct; the management denied that any discrimination had been made between the members of the newly established Colliery Mazdoor Congress, HMS or the older union, the Khani Mazdoor Panchayat. As regards the letters from the Secretary to the Superintendent, Kalla Central Hospital, the management's case is that there is no statement of age of the particular workmen in those reports and it is doubtful whether the workmen, Lamboo Kamar and Mahabir Saw actually appeared before the Medical Board at Kalla, and without being sure of the identity of the persons in respect of whom the report as to fitness was received from the Secretary to the Superintendent, Kalla Hospital, the management could not take back the two workmen, Lamboo Kamar and Mahabir Saw.

4. Before the tribunal Mahendra Singh, Organising Secretary of the Colliery Mazdoor Congress, HMS, has deposed as a witness and stated that when the services of Lamboo Kamar and Mahabir Saw were terminated by the management, they reported to him and that he took up their cases and took them personally to the Kalla Central Hospital, Asansol, for examination after the receipt of the letter, Ext. 1 dated 27th December 1965 from the Secretary to the Superintendent of the Kalla Hospital, by which the Colliery Mazdoor Congress was asked to produce 4 persons, namely Banta Singh, Nathu Mia, Mahabir Saw and Lamboo Kamar for examination at the office of the Superintendent, Central Hospital, Kalla, Asansol on 5th January 1966; and that in due course he received the reports, Exts. 2, 2(a) and 2(b) from the Secretary to the Superintendent, Central Hospital, Kalla, Asansol. Of the 4 persons who were required to be produced by the letter, Ext. 1, Nathu Mia did

not attend the Kalla Hospital. As regards, Banta Singh as the letter Ext. 2 shows, the Medical Board found him unfit. But in respect of Mahabir Saw and Lamboo Kamar as the letters Exts. 2(a) and 2(b) show, the Medical Board of Kalla Hospital declared them fit for the work that they were doing at Saltore Colliery. The union relies on these letters to show that Lamboo Kamar and Mahabir Saw were not unfit for continuing their work at Saltore Colliery. Shri D. Narsingh, appearing for the management has pointed out that as neither the writers of the letters, Exts. 2(a) and 2(b) nor the Medical Officer of Kalla Hospital who examined Mahabir Saw and Lamboo Kamar at Kalla Hospital has been examined as a witness on behalf of the union, the contents of the letters Exts 2 (a) and 2(b) are inadmissible; they may be relevant in support of the statement of Mahendra Singh that he received certain reports regarding the workmen from the Medical Board after he took them for examination at Kalla Hospital, but the contents cannot be regarded as proved. I agree that the contents would be inadmissible in a Criminal Court or a Civil Court in the absence of examination of the writer of the letters or of the Medical Officer who examined these 2 workmen at Kalla Hospital. An industrial tribunal however is not bound by the strict law of evidence as contained in the Indian Evidence Act and may act on the letters, Exts. 2 (a) and 2(b) if satisfied that they are genuine and that the correct persons were produced for examination before the Medical Board of Kalla Hospital. On this point, there is the evidence of Mahendra Singh that he personally took them to Kalla Hospital and that Mahabir Saw and Banta Singh were examined on the first day, 5th January 1966 and that Lamboo Kamar was given another date on which to appear namely 11th February 1966, and on that day again Mahendra Singh took Lamboo Kamar to the Kalla Hospital and produced him at the Hospital. He no doubt did not go into the chamber where actually the workmen were examined by the Doctors, but the workmen Mahabir Saw and Lamboo Kamar stated that having gone to Kalla Hospital with their union Secretary, they went in and were examined by the Medical Board there. In the circumstances, there does not appear to be any reason to doubt that the workmen concerned and not somebody else in their place appeared at Kalla Central Hospital for examination as to fitness. There is evidence of Mahabir Saw and Lamboo Kamar that they took with them the letters which they had got from the Manager terminating their services on medical grounds, viz. the letters, Exts. 5 and 6 in which the opinion of Medical Officer of Saltore Colliery was quoted, and that they showed these letters to the Medical Board at Kalla. In the letters, Exts. 2(a) and 2(b) from the Secretary to the Superintendent, Kalla Hospital, there is no direct reference to these letters Exts. 5 and 6, but the report covers the points on which adverse findings were made by the Medical Officer of the Saltore Colliery as quoted in the letters, Exts. 5 and 6. This supports the evidence of the two workmen that the manager's letters, Exts. 5 and 6 were produced before the Medical Board at Kalla Hospital.

5. Apart from the reports of the Medical Board of Kalla Central Hospital as contained in the letters Exts. 2 (a) and 2 (b) there appears to be other grounds for holding that the termination of service on the basis of the report of the examination by the Medical Officer of Saltore Colliery was not justified. Mahabir Saw and Lamboo Kamar stated that they appeared before the Medical Officer of Saltore with letters of the manager and that the medical officer kept them sitting for some time and then asked them to go away and did not examine them at all physically. This statement however appears to be unacceptable; in the written statement filed on behalf of the workmen by their union it was mentioned only that the Medical Officer did not properly examine them. The Medical Officer, Dr. B. Mazumdar, deposed as MW 1 and he stated that he examined them physically and made notes as to the findings made by him. He produced before the tribunal the notes made by him after the examination made on the particular dates, viz. 11th October 1965 when he examined Lamboo Kamar and 2nd November 1965 when he examined Mahabir Saw; and stated that the certificates, Ext. A and Ext. B sent by him to the manager were prepared on the basis of the notes made by him. There is no doubt that Dr. Mazumdar actually examined them; but his examination appears to be faulty, or it may be that after examining 5 or 6 persons he made the notes at a time, and so there were some mistakes. As to Lamboo Kamar his certificate shows 'mature cataract in both eyes' but Lamboo Kamar's eyes when he appeared before the tribunal as a witness did not show any sign of cataract. Mature cataract is visible to a lay man but no sign of such cataract was visible. As regards hypertension or high blood pressure this might have been found on the particular occasion, but this by itself does not indicate chronic high blood pressure. In the case of Mahabir Saw, Dr. Mazumdar reported general debility, immature cataract and old age. In his case also, his eyes did not show any sign of cataract when he appeared before the tribunal and he did not appear to be suffering from any particular debility which would render

him unfit for work as Pump Khalasi, in which capacity he was employed before at Saltore colliery. It is true that both these workmen are old. The estimate made by Dr. Mazumdar is 58 in the case of Mahabir Saw and 67 in the case of Lamboo Kamar. The workmen gave their respective ages as 54 and 56. It is difficult to estimate the age of such persons correctly. There is some substance in the contention of the management that if old workmen are retained in service, they would be more prone to accidents and that this would increase the liability of the management to pay compensation under the Workmen's Compensation Act. But no evidence was produced in the present case to show that because of their old age these workmen had been working in such a way as to make them more liable to accidents in their respective jobs as blacksmith and Pump Khalasi. There is no evidence to show that any report was made against them for repeated absence on account of sickness, or inefficiency on account of old age. Both of them when they appeared before the tribunal appeared to possess reasonably good health and to be fit for further work even though one of the workmen, Lamboo Bamar has a crown of white hair.

6. The management's contention that old workmen cannot be retained in service indefinitely is no doubt true. There is however at present no provision under the Standing Orders for retirement after a workman attains a certain age, say 60 or 65. It would be desirable to introduce such a provision in the Standing Orders, with a provision for gratuity according to the number of years of service. At present such gratuity is payable on retrenchment, but the rules of retrenchment in the Industrial Disputes Act provide for the retrenchment of the workmen with the minimum years of service in accordance with the principle 'last come first go' and this provision therefore does not help the management to retrench the old workmen.

7. So long however as such provision for retirement on attaining a certain age are not introduced into the Standing Orders, the workmen are entitled to remain in work so long as they are fit for work. In the present case, I must hold in view of the evidence that both the workmen continued to be fit for work and are still fit for work and in the circumstances the termination of their service was bad and must be set aside.

8. I must add however that no reliable evidence has been adduced to prove the union's contention that the workmen were discriminated against merely because they became members of the newly established union, the Colliery Mazdoor Congress, HMS.

9. Accordingly, I hold that the action of the management of Saltore Colliery in terminating the service of Sarvashri Lamboo Kamar, Blacksmith and Mahabir Saw, Pump Khalasi with effect from 23rd October 1965 (not 29th October 1965) and 30th November 1965 (not 1st December 1965) was not justified and I direct therefore that they be taken back in their respective posts within one month from the date of publication of the award and that for the period of non-employment they be paid at the rate of half of their total remuneration.

The parties will bear their own costs

Dated, 18th April 1967

(Sd.) S. K. SEN,

Presiding Officer,

[No. 6/45/66-LRII.]

S.O. 1611.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Industrial Tribunal, No. 2, Calcutta, in the industrial dispute between the employers in relation to the Benalee Colliery, Post Office Raniganj, District Burdwan and their workmen, which was received by the Central Government on the 24th April, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA

REFERENCE No. 105 OF 1966

PARTIES:

Employers in relation to Benalee Colliery,

AND

Their workmen

PRESENT:

Shri S. K. Sen—*Presiding Officer*

APPEARANCES:

On behalf of Employers:—Shri B.K. Mukerjee, Advocate

On behalf of Workmen:—Shri N. R. Roy, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No 8/148/65-LRII dated 20th May 1966, the Central Government referred for adjudication an industrial dispute between the employees in relation to the Benalee Colliery and their workmen in respect of the subject matter mentioned in the following schedule:

"Whether the dismissal of Shri Bainath, Loader, by the management of Benalee Colliery is justified? If not, to what relief is he entitled?"

2. Bainath was a loader employed at Benalee Colliery. He was arrested by the Police in connection with an arson case on 15th March 1965. He was tried along with two other accused by the Sessions Judge Burdwan and acquitted of the charge on benefit of doubt on 20th September 1965. The management drew up proceedings against Bainath for unauthorised absence for over 10 days from 16th March, 1965. The chargesheet was drawn up on 30th March, 1965 and was hung up on the doors of the quarters of the workman and a copy was also sent by registered post to the home address of the workman. No reply to the chargesheet was received. Notice of the date of hearing was served similarly and on 20th April 1965 an *ex-parte* enquiry was held by the Labour Officer, Benalee Colliery who reported that the charge of unauthorised absence without leave for more than 10 days had been established. With the approval of Chief Mechanical Engineer, the manager of the colliery passed an order of dismissal on 26th April, 1965.

3. The case of the union in the written statement was that on 15th March 1965 when the police officer came, the manager of the colliery sent for Bainath Shaw from where he was working and the police arrested Bainath when he came to the manager's office; and Bainath was in jail custody until 15th April 1965 when he was released and that therefore his absence for more than 10 days from 16th March 1965 was beyond the control of the workman and moreover the cause for the absence was known to the management and in the circumstances it was unfair labour practice to draw up proceedings for unauthorised absence for over 10 days and pass an order of dismissal after an *ex-parte* enquiry.

4. The management in their written statement denied that on 15th March 1965 the workman, Bainath Shaw, had been arrested after having been sent for by the manager. The management denied the knowledge of the arrest by the police until after the order of dismissal had been passed. According to the management the workman was absent from 16th March 1965 and did not send any letter or application explaining his absence or asking for leave and in the circumstances the management was justified in drawing up proceedings for unauthorised absence and in passing the order for dismissal.

5. After both parties had filed their written statements, the case was fixed for hearing on 18th March 1967. On that day Shri N. R. Roy appeared for the union and Sri B. K. Mukherjee and another for the management and certain documents were marked on admission but neither side was ready with witnesses and the case was therefore adjourned to 17th April 1967. On 17th April 1967, Sri N. R. Roy appearing for the union stated that the Secretary of the union could not contact the workman concerned and therefore he has no inst. case. The management examined two witnesses, Shri K. K. Mukherjee, the Labour Officer who held the enquiry *ex-parte* and Shri A. K. Chatterjee, the manager of the colliery. The record of the *ex-parte* enquiry has been proved and marked, Ext. D and shows that the enquiry though *ex-parte* was properly held. The manager has denied that on 15th March 1965 he sent for the workman, Bainath Shaw, and that the police arrested him when Bainath came to the manager's office. He has stated on the other hand that he was not aware of the arrest of Bainath on 15th March 1965 until a copy of the union's letter Ext. 2 dated 13th May 1965 to the Conciliation Officer was forwarded to the manager by the Conciliation Officer; and in the reply Ext. B, dated 20th May 1965 the allegations of the union relating to the circumstances of the arrest of Bainath were denied. Their being no evidence in contrary it must be held that the management when

they drew up the proceedings for unauthorised absence were not aware of the reason for which Baijnath was absenting himself.

6. Accordingly, I find that the dismissal of Shri Baijnath, Loader, by the management of Benalee colliery was justified and he is not entitled to any relief. Dated, 17th April 1967.

(Sd.) S. K. SEN,
Presiding Officer.
[No. 8/148/65-LRII.9]

S.O. 1612.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal No. 2, Calcutta, in the industrial dispute between the employers in relation to the South Parasea Colliery, Post Office Kajoragram, District Burdwan and their workmen which was received by the Central Government on the 26th April, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA
REFERENCE No. 133 OF 1966

PARTIES:

Employers in relation to the South Parasea Colliery,
AND

Their workmen.

PRESENT:

Shri S. K. Sen—*Presiding Officer.*

APPEARANCES:

On behalf of Employers—Shri S. S. Mukherjee, Director.

On behalf of Workmen—Shri Jagannath Pandey, President, Parasea & South Parasea Colliery Mazdoor Congress.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 8/63/66-LR-II dated 17th November 1966 the Central Government referred for adjudication an industrial dispute between the employers in relation to the South Parasea Colliery, P.O. Kajoragram, Dist. Burdwan and their workmen in respect of the subject matter mentioned in the following schedule:

“Whether the management of South Parasea Colliery was justified in dismissing from service Shri Chander Singh, Pump Khalasi, with effect from the 23rd June, 1966. If not, to what relief is he entitled?”

2. The case of the union, the Parasea and South Parasea Colliery Mazdoor Congress, on behalf of the workman Chander Singh, Pump Khalasi, is briefly as follows: A unit of the Parasea and South Parasea Colliery Mazdoor Congress was established at South Parasea in February 1965. This was the second union to be established at South Parasea colliery, another union, viz Khani Shramik Panchayat having been in existence at the colliery from before. Chander Singh became a member of the Parasea and South Parasea Colliery Mazdoor Congress and he availed of the services of the union on several occasions for realising payment of arrear overtime wages increments due and so on and therefore he was not in the good books of the Management. Chandar Singh was stopped from work with effect from 20th February 1966 by an order of the Deputy Agent of the colliery, Shri V. K. Chhawchharia and was kept under suspension until 3rd March 1966. On 26th February 1966 he received two chargesheets in the form of letters dated 18th February 1966 and 21st February 1966, the first one alleging that he was found sleeping on duty at about 10.20 a.m. on 17th February 1966 when on duty as a Pump Khalasi, and the second one alleging that on 20th February 1966 at about 7.15 a.m. in the morning he had used abusive and filthy language for the Deputy agent and had also abused the colliery manager. Chandar Singh submitted a reply on 27th February 1966 in which he denied the allegations in both the chargesheets. Shri J. Dayal Jindal, Labour Officer of South Parasea Colliery, was appointed as the enquiry officer and he issued notices informing Chandar Singh that the enquiry into the two charges would be held on 28th March 1966 and 31st March 1966 respectively. The enquiries were however adjourned to 7th April 1966 and 9th April 1966 respectively as Shri Jindal happened to be busy with other work on 28th March and 31st March. On 7th April and 9th April there was some hitch when the enquiries were being held, and the enquiry could not be completed. Thereafter the management appointed S. R. Gupta,

Labour Officer of Parasea Colliery to hold the inquiry. The appointment was made under the order of Shri R. K. Goenka who is the agent of Parasea colliery and one of the Directors of South Parasea Colliery. The enquiries were originally scheduled to be held by S. R. Gupta on 28th April 1966 and 29th April 1966 respectively. But as the enquiry officer S. R. Gupta was otherwise engaged, he adjourned the first enquiry relating to the chargesheet dated 18th February 1966 to 5th May and he held the enquiry on 5th May and 8th May. He adjourned the other enquiry relating to the chargesheet dated 21st February 1966 to 9th May and then to 14th May and then to 22nd May and that enquiry was actually held on 22nd May, 28th May and 29th May. On the basis of the reports of the enquiry officer a dismissal order was passed against Chandar Singh on 23rd June 1966. According to the union, the enquiry officer acted in a partisan manner and was moreover related both to the Goenkas and Chhawchharias who are the owners or the managing agent of the collieries; and he made perverse findings, and in the circumstances, the order of dismissal was bad. Further, another case for dismissal was then pending before the tribunal, but the management made no application for approval of the order of dismissal under Sec 33 (2) (b) of the Industrial Disputes Act and the order was, therefore, bad for this reason also.

3. The management asserted that during the Safety week when the Deputy Agent and several other men went on a tour of inspection underground on 17th February, 1966, Chander Singh, Pump Khalasi, was found sleeping near his pump and therefore the first chargesheet was drawn against him on 18th February, 1966; and it was sought to be served by hand through a peon, J. N. Pathak but Chandar Singh refused to accept the same, and so ultimately it had to be sent by registered post. According to the management, on 20th February, 1966 after Chandar Singh had been refused permission to join his shift by the attendance clerk he went to the office and used abusive language directed at the Deputy Agent, V.K. Chhawchharia and also abused the manager, A. K. Bose, and therefore the second chargesheet was drawn up on 21st February, 1966 and that chargesheet was sent by registered post after attempt to serve it personally failed. The management's further case was that the enquiry by Shri Jindal failed owing to the attitude taken up by Chander Singh himself; and that the two enquiries held by S. R. Gupta could not be challenged because at those inquiries, the workman Chandar Singh was permitted to be represented by another workman, O. P. Dubey, the Head Clerk, who fully cross-examined the witnesses examined on behalf of the management. In the circumstances, according to the management, the question of relationship of S. R. Gupta with the Chhawchharias and Goenkas was irrelevant; Section 33(2) (b) of the Industrial Disputes Act was not contravened because the dispute then pending with the tribunal concerned only a particular workman and Chandar Singh was not concerned in that dispute.

4. Case No. 103 of 1966 concerning dismissal of one Biswanath Prasad by the management of South Parasea Colliery was referred to adjudication by an Order dated 10th May, 1966, and was pending on 23rd June, 1966 when Chandar Singh was dismissed; and admittedly no application under Sec. 33(2) (b) of the Industrial Disputes Act was filed by the management in respect of Chandar Singh. It has been urged on behalf of the management that Section 33 Sub-section (2) of the Act only refers to any action that the management may take in relation to a workman concerned in the pending dispute and that Chandar Singh was not concerned in the dispute relating to Biswanath Prasad. But the case relating to Biswanath Prasad was taken up by the Parasea and South Parasea Colliery Mazdoor Congress like the present case relating to Chandar Singh, and it may be held that the workmen who were members of that union are concerned in both the disputes and that Chandar Singh as a member of the union was, therefore, concerned in the dispute concerning Biswanath Prasad. Further, the Supreme Court in *New India Motors Private Limited V. Morris* (1960 1 LLJ 551) held that a limited construction must not be put on the words "workman concerned in such dispute" and that it is not necessary that the workman must be directly and immediately concerned in pending dispute; that the circle of persons bound by the award is much wider than the parties to the industrial dispute, and all such persons should be considered as concerned in such disputes. In the circumstances, the contention on behalf of the management that Section 33(2)(b) of the Act has no application in the present case cannot be accepted. I hold that the Section applies to the present case and that therefore there has been contravention of Section 33(2)(b) of the Act. This however does not immediately entitle the workman to an order for reinstatement. It has been held in several cases by Supreme Court in connection with proceedings under Section 33A of the Industrial Disputes Act that a mere finding that there has been a contravention of Section 33(2)(b) is not enough; it is necessary for the tribunal to enter into the merits and see whether in fact

the order of dismissal was bad. In the present case also it is necessary for us to enter into the merits of the case.

5. Admittedly the union, the Parasea and South Parasea Colliery Mazdoor Congress, established a unit South Parasea Colliery quite recently, i.e. in February 1965 according to the evidence of O. P. Dubey, witness No. 1 for the workmen. Thereafter, the documentary evidence admitted in the case shows that through the Union Chandar Singh made several representations for his arrear overtime wages and other dues. Ext. 1 is a letter dated 1st October, 1965 from the union to the Assistant Labour Commissioner, Raniganj complaining that Chandar Singh had been wrongfully deprived of the benefit or overtime wages for continuous working for 27 days as Pump Khalasi from the week ending 11th May, 1965 to the week ending 8th June, 1965 Ext. 2 and Ext. 3 show that Assistant Labour Commissioner referred the matter to the Labour Enforcement Officer, Raniganj. Ext. 4 shows that as a result of the intervention of the Regional Inspector of Mines, the management was directed to make the overtime payment due to Chandar Singh, and a further complaint was made to the Regional Inspector of Mines by the union on 12th November, 1965 alleging that the management was trying to avoid making the actual payment. Chandar Singh who deposed as witness No. 2 for the workmen in the case stated that he ultimately got the overtime payment in full, the sum being Rs. 118 after deduction of the Provident Fund contribution. It is natural to assume that the management would not be too pleased with Chandar Singh. It is therefore necessary to see that the departmental proceedings held by the management against Chandar Singh resulting in his dismissal were fair and correct.

6. As regards the case of the management that the chargesheet, Ext. 7, in the form of a letter was sought to be served personally through a peon or mazdoor J. N. Pathak, the management relied on an entry in the page of the Peon Book Ext. C, where an entry in 'Hindi' under the date 19th February, 1966 to the effect that the addressee did not take the letter appears with the initials of J. N. Pathak. From the beginning, Chandar Singh had been strenuously denying that any letter was tendered to him on 18th February, 1966 or 19th February, 1966 and stating that he never got the chargesheet of 18th February, 1966 until he received it by post on 26th February, 1966. That he received it by post has been proved by the Cover, Ext. 7(a) of the registered letter by which the letter was sent to him. The cover shows that the letter was posted on 24th February, 1966 and was delivered on 26th February, 1966. J. N. Pathak was not examined as a witness either before the tribunal or before the domestic enquiry in relation to the chargesheet dated 18th February, 1966, although it appears that Chandar Singh asked for his production as a witness. In the circumstances, the entry in the Peon Book cannot be accepted as reliable evidence, even apart from the evidence of O. P. Dubey that V. K. Chhawchharla compelled him to backdate the entry relating to the chargesheet. The conduct of Chandar Singh supports his case that no chargesheet was tendered to him on 18th or 19th, because when he was stopped from work on 20th February, 1966 by the attendance clerk, he insisted on a slip being written by the attendance clerk, Chandrika Tiwari, Ext. 31, that he was being stopped from work under the order of the Deputy Agent, V. K. Chhawchharla; and further on 20th February, 1966 he wrote a letter Ext. 5 to the Agent of South Parasea Colliery complaining that he had not been allowed to attend for work on that day and had been suspended by the Deputy Agent without assigning any reason; adding that such action on the part of the Deputy Agent had been referred to him on previous occasions but no appropriate action had been taken. Ext. 5 was written direct by Chandar Singh and Ext. 6, dated 22nd February 1966 was written to the Agent by the Secretary of the Union, the purport of the letter being the same. Similarly, there is no reliable evidence to show that attempt was made to serve personally the second chargesheet drawn up on 21st February, 1966.

7. If the management did not actually try to send the charge-sheets by hand as soon as they had been drawn up but tried to give false evidence in relation to them, the evidence on the side of the management has to be taken with some caution. In this background the evidence as to the enquiry has to be examined. Regarding what happened when Shri Jindal commenced the enquiry on 7th April 1966 and 9th April 1966 there is only the oral evidence of Shri Jindal, ME2, as well as certain statements in the letter, Ext. H dated 12th April 1966, written by the Director, R. K. Goenka, to the Assistant Labour Commissioner. But the proceedings of the partially held enquiries have not been produced before the tribunal, and the tribunal does not therefore have the primary evidence as to what actually happened on that day. Chandar Singh appears to have made protests against the manner in which the enquiry was being held. It

appears that one of his objections was that he should be given the names of the witnesses proposed to be examined by the management but this information was denied to him. It cannot be said that Chandar Singh was wrong in asking for the names of the witnesses proposed to be examined against him. In the circumstances, for the fiasco that happened on 7th April and 9th April both sides might be held responsible.

8. Next, there are the enquiries held by Shri S. R. Gupta, Ext. E and D are the records of proceedings relating to the charge-sheets dated 18th February 1966, respectively. In both the enquiries, Chandar Singh was permitted to be represented by the Head Clerk, O. P. Dubey, who cross-examined the witnesses. It cannot therefore be said that proper scope for cross-examination was not given. But the fact that Shri S. R. Gupta is related to the Goenkas and Chhawchharias, which was asserted in Paragraphs 14 to 18 of the written statement of union, was not denied by the management, it being merely stated that Paragraphs 14 to 18 were irrelevant for the present case. In the enquiry relating to the charge-sheet dated 18th February 1966, V. K. Chhawchharia was the only witness for the management. He admitted in cross-examination that the enquiry officer was the brother of his maternal grand-mother i.e., distantly related to him. He stated that on 17th February 1966, when he went into the mine with the Inspection team, he found that Chandar Singh was sleeping at his post near the Pump which was working. Chandar Singh on the other side denied that statement and stated that he was merely sitting down near the pump after setting it going, and that the members of the team of inspection came and questioned him about the pump and he gave necessary answer. If the Management's case were true, it should have been possible to examine other witnesses in support of the charge. In the charge-sheet, Ext. 7, it was mentioned that Chandar Singh was found sleeping at 10.20 A.M. on 17th February 1966. But from the register of persons employed underground and going underground, Ext. G, it appears that Shri V. K. Chhawchharia with the manager and a number of other visitors went down the mine at 10.30 A.M. and came up again at 12.30 P.M. The evidence shows that from the place where attendance is recorded to the place where the pump was working in charge of Chandar Singh it would take 15 or 20 minutes to go. Accordingly V. K. Chhawchharia and others could not have reached the pump where Chandar Singh was working before 10.45 or 10.50 A.M. Accordingly, V. K. Chhawchharia could not be competent to say whether or not Chandar Singh was sleeping at 10.20 A.M. This discrepancy in the time was pointed out in the course of the enquiry with reference to the attendance register in form C, but it does not appear that Shri V. K. Chhawchharia explained that he had made a mistake as to the time and that the correct time should be 10.50 and not 10.20. Further V. K. Chhawchharia was asked in cross-examination whether the members of the Inspection team had made any report about the incident. V. K. Chhawchharia stated that he did receive some letters from the Inspection team but that the management would not produce them as evidence at the enquiry. Accordingly an adverse inference ought to have been drawn by the enquiry officer that the letters by the members of the inspecting team if produced would not support the evidence of Shri Chhawchharia that the Pump Khalasi was sleeping. There is also the circumstance that Chandar Singh was permitted to work on the 18th and 19th February, 1966. If he was found sleeping on duty on the 17th February, it might be expected that he would be suspended forthwith, or atleast from the 18th February. In view of the circumstances discussed the finding of the enquiry officer that Chandar Singh was sleeping at his post must be held to be perverse, and not a reasonable finding.

9. The same conclusion has to be made about the second enquiry. The charge-sheet in the case is Ext. 8. Therein it is stated that on 20th February 1966 at 7.15 A.M. Chandar Singh showed disorderly and indecent behaviour and used abusive and filthy language for the Deputy Agent outside the colliery office; and that after a few minutes he also abused the colliery manager. It is not clear from the way in which the charge was framed whether Chandar Singh had merely uttered abusive language towards the Deputy Agent in his absence or had abused him face to face. When Chandar Singh was stopped from work on that day by the attendance clerk and was told that he was being stopped by the order of Deputy Agent, V. K. Chhawchharia, it is not unlikely that on returning to the office, Chandar Singh should have made some comments against the Deputy Agent V. K. Chhawchharia. But the question is whether he abused V. K. Chhawchharia to his face. I have already stated that the wording of the letter or charge-sheet, Ext. 8, does not make it clear whether V. K. Chhawchharia was abused to his face. At the enquiry two witnesses were examined for the management, namely V. K. Chhawchharia and the manager A. K. Bose. The manager stated that at about 7.30 A.M. on 20th February 1966 when he was

standing outside the office, Chandar Singh came and said in a rude tone that he had been suspended and that if he had to go the manager and everybody else would have to go also. But the manager made it clear in cross-examination that apart from the above words the workman did not utter any other abuse and the manager repeatedly said that the workman had not used any filthy language. It would appear therefore that there was no abuse at all of the manager. As regards the evidence of V. K. Chhawchharia he said that he came to the office at about 7.15 A.M. and Chandar Singh came and abused him in filthy language for suspending him. Chandar Singh asked him in cross-examination in what terms he had abused, but Shri Chhawchharia said that he would not think of repeating the filthy terms. The Manager was not present when Shri Chhawchharia is supposed to have been abused. As against the evidence of V. K. Chhawchharia, 7 witnesses were examined for the workman who stated that they did not hear any abuse of the Deputy Agent or the manager by the workman. One of these witnesses, Raghubir Singh, Bonus Clerk stated that he came to the office at 7 A.M. on that day and that Chandar Singh came to the office and said that without issuing any charge-sheet he had been suspended and that he would make an application to the Agent. The evidence of other defence witnesses is similar. The enquiry officer dealt with the evidence of these witnesses in a rather peculiar manner. He stated that they apparently knew nothing about the incident, and rather proved that the workman had a grudge against the Deputy Agent. But none of these witnesses was asked in cross-examination whether the Deputy Agent had come to the office that morning, and whether Chandar Singh abused to his face. Even if Chandar Singh made some remarks about the Deputy Agent in the latter's absence, that would not amount to the offence charged. This point was not appreciated by the Enquiry Officer and his finding therefore must be regarded as perverse and not a finding that would be reached by a reasonable man.

10. I must hold therefore that the order of dismissal of Chandar Singh was not justified. It appears however that the ill feeling between the parties has been going on even after the dismissal. Exts. B and B1 show that on the complaint of R. K. Goenka, Director of South Parasea Colliery a number of persons including Chandar Singh and O. P. Dubey have been proceeded against under Section 107 Cr. P.C. Ext. A is the order sheet of the Magistrate, Asansol showing that the proceedings against them are still pending. In the circumstances, it would not be possible for the management and the workman Chandar Singh to work peacefully if there were order for reinstatement. It would be more appropriate in the circumstance to direct payment of compensation. If reinstatement were ordered, the workman could be awarded full wages from the date of dismissal to the date of reinstatement. An order for payment of full wages and allowances from 23rd June 1966 to 22nd April 1967 i.e. for ten months, plus 3 months wages and allowances for loss of employment, would in my opinion be appropriate in this case.

I therefore find as follows:

That the management of South Parasea Colliery was not justified in dismissing from service Shri Chandar Singh, Pump Khalasi with effect from 23rd June 1966. In view of the strained relationship between the parties however I do not make an order of reinstatement but I direct that Chandar Singh be paid full wages with allowances for ten months from the date of his dismissal, plus three months' more wages with allowances for loss of employment.

Dated, the 20th April, 1967.

(Sd.) S. K. SEN,

Presiding Officer.

[No. 6/63/66-LRII.]

New Delhi, the 28th April 1967

S.O. 1613.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, No. 2, Calcutta, in the industrial dispute between the employers in relation to the Sodepur 9/10 Pits Colliery of Messrs Bengal Coal Company Limited, Post Office Disergarh, Burdwan and their workmen which was received by the Central Government on the 26th April, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA.

REFERENCE No. 92 of 1966.

PARTIES:

Employers in relation to the Sodepur 9/10 Pits Colliery of M/s. Bengal Coal Company Ltd.,

AND

Their workmen.

PRESENT:

Shri S. K. Sen.—*Presiding Officer.*

APPEARANCES:

On behalf of Employers.—Shri D. Narsingh, Advocate.

On behalf of Workmen.—Shri D. L. Sen Gupta, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/104/64-LRII dated 19th March, 1966, the Central Government referred for adjudication an industrial dispute arising out of the dismissal of Shri S. D. Sao, Surveyor, Sodepur 9 & 10 Pits Colliery by the management of Messrs Bengal Coal Company Limited. Shri S. D. Sao, a surveyor in the service of Messrs Bengal Coal Company Limited was transferred to Sodepur 9 & 10 Pits colliery with effect from the 19th December, 1963. Before that he was posted at Lochipur colliery of the same company. After Shri S. D. Sao had been transferred from Lochipur, his successor found some defects in the work that he had done and the management of Lochipur colliery issued a chargesheet against Shri S. D. Sao by letter dated 21st February, 1964. There were three charges mentioned in the chargesheet, namely that some days prior to 17th December, 1963 he marked the centre line on the last West Rise heading from 21 level of Lochipur colliery incorrectly with the result that a gallery was wrongly driven into a restricted area; that on 16th December, 1963 he set out the foundation of the Head Gear of the up-cast shaft at Lochipur incorrectly and that he failed to measure correctly the depth of two wells sunk on behalf of the Coal Mines Welfare Fund and gave inflated measurement as a result of which overpayment was made. Shri S. D. Sao denied the first and the third charges and as regards the second charge, he admitted to have made a slight mistake. An enquiry was held on 10th April, 1964 in the presence of Shri S. D. Sao and the management found the charges proved and passed a dismissal order on 2nd May, 1964.

2. After both parties had filed their written statements the case was fixed for hearing on 20th March, 1967. After the case had been taken up the parties made a joint prayer for time to settle the matter amicably. Accordingly, the hearing was adjourned to 20th April, 1967. On 20th April, 1967 the parties filed a compromise petition jointly. By the terms of the settlement the company is to withdraw the dismissal order and the case will be considered as a case of retrenchment and Shri S. D. Sao will be paid compensation of Rs. 6,750 (Rupees Six thousand Seven hundred and fifty only) in addition to certain other sums due to him during the last year of his service which are enumerated in paragraph 1(c) of the petition of compromise. The payments are to be made within 15 days from the date of filing the agreement before the tribunal, i.e., from 20th April, 1967. The terms are favourable for the workman and are, therefore accepted and an award is made in terms of the petition of compromise which shall form part of the award.

Dated, 22nd April, 1967.

Sd./- S. K. SEN,

Presiding Officer.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2,
CALCUTTA.

REFERENCE No. 92 of 1966

BETWEEN.

Employers in relation to the Sodepur 9/10 Pits Colliery of Messrs Bengal Coal Company Limited,

AND

Their workmen.

Humble petition of the parties in the matters, most respectfully Sheweth:—

1. That the parties have arrived at the following terms in full and final settlement of the dispute pending before your honour:

- (a) The company shall withdraw the letter of dismissal served on Shri S. D. Sau and grant him a certificate of good service of 20 years.
- (b) The termination of service of Shri S. D. Sau shall be deemed to be a case of retrenchment and he shall be paid a sum of Rs. 6,750 (Rupees Six thousand Seven hundred and fifty only), by way of compensation.
- (c) In addition to the sum mentioned in item (b) above, Sri S. D. Sau shall be paid his other legal dues earned by him during the course of his employment, namely:
 - (i) Quarterly Bonus for the quarter ending March, 1964, if found due
 - (ii) Leave wages, if any are found due.
 - (iii) Train fare and Bus fare for service in 1963, if due.
 - (iv) Wage for 1st May, 1964, if due.
 - (v) Any other payment to which he was lawfully entitled as upto 1st May, 1964, (inclusive).

2. The above payment shall be made to Sri S. D. Sau within 15 days from the date of this agreement.

Under the circumstances this Tribunal may graciously be pleased to dispose of the matter in the aforesaid terms by way of an award.

And for this act of kindness the parties shall ever pray.

For workmen:

S. S. DAS CHOWDHURY,
Secretary, Association of
Indian Mines Surveyors.

S. D. SAU.
(Workman concerned).

D. L. SEN GUPTA,
Advocate.

Dated, 20th April 1967

For employers:

D. NARSINGH,
Advocate.

B. P. KABI,
Security Officer,
for Employers.

[No. 6/104/64-LRII.]

New Delhi, the 29th April 1967

S.O. 1614.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal-cum-Labour Court (Central), Jabalpur, in the industrial dispute between the employers in relation to the Damua Colliery of Messrs Kanhan Valley Coal Company (Private) Limited, Byramji Town, Nagpur and their workmen which was received by the Central Government on the 25th April, 1967.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR.

Dated April 17, 1967.

PRESENT:

Sri G. C. Agarwala.—*Presiding Officer.*

REFERENCE No. CIT/LC(41) of 1966.

In the matter of a dispute between the Employers in relation to the Damua Colliery of Messrs Kanhan Valley Coal Company (Private) Limited, Byramji Town, Nagpur and their workmen.

APPEARANCES:

For the employers.—Sri Manik Giradkar.

For the workmen.—Sri S. S. Sharma, Vice President, and Sri I. S. Chauhan, Secretary, Samyukta Khadan Mazdoor Sangh.

INDUSTRY: Coal Mine.

DISTRICT: Nagpur (Maharashtra).

ORDER/AWARD

By Notification No. 5/33/66-LRII dated 5th November, 1966, the Ministry of Labour and Employment referred the following dispute for adjudication to this Tribunal under Section 10 of the Industrial Disputes Act:—

SCHEDULE

Whether the management of Messrs Kanhan Valley Coal Company (Private) Limited, Byramji Town, Nagpur (MS) was justified in dismissing Shri Khalil Uddin son of Fateh Uddin, Overman of their Damua Colliery from service with effect from the 29th April, 1966? If not to what relief is the workman entitled?

2. As the language of the matter in dispute will show it relates to the termination of service of a single workman. The dispute, if it had been moved by the workman concerned, Sri Khalil Uddin, and had been referred at his instance would have been deemed to have been an industrial dispute under the newly added Section 2-A of the Industrial Disputes Act. The dispute, however, was sponsored by Samyukta Khadan Mazdoor Sangh in conciliation and the said Union is the party in these proceedings before me. The workman concerned is not a party. From the pleadings of the parties it appears that the main Union operating in this concern is M.P. Rashtriya Koyla Mazdoor Sangh. In the domestic enquiry the workman was represented by a worker of this Union. It took up the case but did not pursue the matter further in conciliation. The Samyukta Khadan Mazdoor Sangh then took up the case of the workman and on failure of the conciliation succeeded in having this reference made.

3. After pleadings had been filed certain additional issues were framed in the case. It is needless to state other issues except Issue No. 1 which is in the following terms:—

Addl. Issue.

1. Whether S. K. Sangh was competent to espouse the dispute. Has the dispute been properly sponsored?

Findings:—

4. The position about the S.K.M. Sangh is that it is a general Union of Collieries and not a union of the establishment. From the statement of Sri I. S. Chauhan, Secretary of the Union, recorded on 5th April, 1947, and before the parties were called upon to adduce evidence it appears that it has no representative capacity. The establishment has about 200 workers and the Union claims that besides the workman concerned who became their member on 2nd January, 1966, by means of a Counterfoil receipt No. 5564 there are only 14 other workers as their members. The membership of these other workers is open to serious doubt. They are no doubt mentioned at sl. Nos. 157 to 172 and one other worker at sl. No. 377, but the counterfoils have no signatures of the person issuing the receipts nor of the persons to whom receipts were issued. Even the name of the colliery to which they belong is not stated. No reliance on these counterfoil receipts can be placed. In the register they are stated to have been made members wholesale on 5th March, 1966. But it is significant of fact that even the date has not been mentioned in these counterfoils. Even assuming that they are workers of this colliery and are members of this Union, with only 14 workers as their members they cannot claim a representative capacity to sponsor the dispute. They have not yet attained the status to claim that they can represent the grievances of the workers of the colliery. It is an admitted position that during the enquiry proceedings the worker was represented by M.P. Rashtriya Koyla Khadan Mazdoor Sangh. It is doubtful that this worker would have been a member of both the Unions simultaneously. Presumably after M.P.R.K. Khadan Mazdoor Sangh did not pursue the case he changed his allegiance to this Union and the Union then took up his cause. Since the dispute has been raised and sponsored by a general Union of the industry, S.K.M. Sangh, which has yet not enlisted an appreciable number of workers as their members and not by the workman concerned so as to get the benefit of Section 2-A of the Industrial Disputes Act, the

dispute has not been espoused properly and by a competent union. It is, therefore, held that the dispute is not an industrial dispute so as to confer jurisdiction to this Tribunal.

(Sd.) G. C. AGARWALA,
Presiding Officer.
17-4-1967.

[No. 5/33/66-LRIL.]

ORDERS

New Delhi, the 27th April 1967

S.O. 1615.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Sarpi Kajora Colliery of M/s. Sarpi Kajora Coal Mines (Private) Limited, Post Office Ukhra, Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, No. 2, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

(i) Whether the non-employment of the following M.C. Loaders by the management of Sarpi Kajora Colliery with effect from the 28th January, 1967 was justified:—

1. Shri Damru Rajbhar
2. Shri Ajodhya Harijan
3. Shri Jagrup Harijan
4. Shri Etwar Harijan
5. Shri Ram Audh Harijan
6. Shri Murah Harijan
7. Shri Kharban Harijan
8. Shri Gurucharan Harijan
9. Shri Gunal Harijan

(ii) If not, to what relief are they entitled?

[No. 6/29/67-LRIL.]

New Delhi, the 1st May 1967

S.O. 1616.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jamadoba Colliery of Messrs. Tata Iron and Steel Company Limited, Post Office Jealgora (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Additional Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the Management of Jamadoba Colliery of Messrs. Tata Iron and Steel Company Limited, Post Office Jealgora (Dhanbad), were justified in terminating the lien on the appointment of Shri Bipat, Miner and placing his name in the Badli list with effect from the 14th December, 1966? If not, to what relief is the workman entitled?

[No. 2(50)/67-LRIL.]

BALWANT SINGH, Under Secy.

(Department of Labour and Employment)*New Delhi, the 26th April 1967*

S.O. 1617.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President hereby entrusts to the Government of the State of Bihar, with its consent, the functions of the Central Government under the Minimum Wages Act, 1948 (11 of 1948), in so far as these functions relate to the provision for the payment of remuneration in respect of weekly days of rest in respect of the piece-rated workers employed in the employment of stone breaking and stone crushing in quarries (mines) in the State of Bihar.

[No. LWI-I-7(6)/65.]

O. P. TALWAR, Under Secy.

(Department of Labour & Employment)*New Delhi, the 26th April 1967*

S.O. 1618.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Chandigarh in the industrial dispute between the management of State Bank of India, Ambala City Branch and their workmen which was received by the Central Government on the 17th April, 1967.

BEFORE SHRI ISHWAR DAS PAWAR, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, GOVERNMENT OF INDIA, MINISTRY OF LABOUR AND EMPLOYMENT, CHANDIGARH.

REFERENCE NO. 4/C OF 1966

In the matter of industrial dispute

BETWEEN

The Workmen and the Management of the State Bank of India, Ambala City Branch.

PRESENT:

Shri Sukhdev Rai—for the Workmen.

Shri Sri Ram—for the Management.

AWARD

An industrial dispute having come into existence between the employers in relation to the State Bank of India and their workmen, the Central Government in exercise of the powers conferred by Section 7-A and clause (d) of Sub-Section (1) of Section 10 of the Industrial Disputes Act, referred to this tribunal the following matter, *vide* Notification of the 19th September, 1966, for adjudication:—

Whether the management of the State Bank of India was justified in discharging from service Shri R. K. Jain, Money Tester at Ambala City branch with effect from 1st October, 1963? If not, to what relief is the employee entitled?

In response to the notices issued to the parties they put in appearance before the Tribunal through the representatives and filed statements of their respective cases.

The facts of the case as disclosed in the statement of claim are that Shri R. K. Jain joined the service of the State Bank of India as a Money Tester on 13th June 1955. In July, 1960, he was deputed to the Reserve Bank of India, Ludhiana, along with a cash remittance of non-issuable notes. During the course of examination of the remittance a shortage of Rs. 10 in a packet of Re. 1 denomination was found in the Verification Section of the Reserve Bank after the same had been duly passed by the Examination Section there. Later, a shortage of Rs. 100 in a packet of Rs. 10 denomination was discovered. This packet had been recounted by Shri R. K. Jain. For this Shri Jain was charge sheeted by the Agent of the Ambala City Branch of the Bank on the 10th of October, 1960. He was also called upon to explain why disciplinary action should not be taken.

against him. Shri Jain was placed under suspension with effect from 6th September, 1960. Shri B. P. Tiwari, an Officer of the Bank, conducted a departmental enquiry against the employee under orders of the management. On the complaint made by the representative of the employee against the enquiry Officer another enquiry officer in the person of Shri B. D. Sharma, also an employee of the Bank, was appointed. On the basis of the material brought on the record the enquiry officer came to the conclusion that the charges levelled against the employee had been proved and he made a report accordingly. On the basis of this report Shri R. K. Jain was discharged from service by the management with effect from 1st of October, 1963, under orders of Shri G. K. Ahluwalia, who was Superintendent, Staff Section of the Bank in the New Delhi head office. The order of discharge has been attacked on the ground that no proper enquiry was held and no reasonable opportunity given to the workman to defend himself. It has been added that copies of the statements of the witnesses, who appeared in the first enquiry were not made available at the second enquiry in order to cross-examine the witnesses and that Puran Singh and Sanjhi Ram, who were cashiers at Jullundur and Amritsar branches respectively of the Bank, were not produced by the management, nor were their previous statements allowed to be read in evidence by the enquiry officer and this resulted in miscarriage of justice. It has, therefore, been prayed that the impugned order be set aside and the workman reinstated in his post with continuity of service and payment of back wages.

In its written statement the management denied the allegations made in the statement of claim. It has been pleaded that full opportunity was given to the employee for the cross-examination of the witnesses produced by the management and for production of his defence, that the first enquiry officer was replaced on the complaint made by the employee, that it was the responsibility of the workman to have produced Puran Singh and Sanjhi Ram and that the evidence of the witnesses was irrelevant. It has, therefore, been claimed that the order terminating the services of the employee was justified, and that, therefore, he was not entitled to any relief.

From the pleadings of the parties only one issue arises which is precisely the same as the Item of dispute in the reference.

The sole point for consideration is whether Shri R. K. Jain was afforded a reasonable opportunity by the enquiry officer to cross-examine the witnesses of the management and to lead evidence in his defence.

The enquiry officer, Shri B. D. Sharma, who is District Superintendent of the State Bank of India at Delhi, appeared as R.W. 1. He deposed that he afforded the workman full opportunity to cross-examine the witnesses produced by the Bank and to produce his defence. Shri G. K. Ahluwalia R.W. 2, who is an Agent of the State Bank, passed the order terminating the services of the employee on the basis of the report of the enquiry officer. The enquiry officer, Shri B. D. Sharma, admitted that Shri Jain had requested for the summoning of five witnesses namely Shri B. P. Tiwari, who was at the time of the incident posted as Agent at the Ludhiana branch of the Bank, Shri K. C. Mehra Agent of the Ambala City branch of the Bank, Shri J. S. Bhatnagar Accountant of the Ludhiana branch of the Bank, Shri Puran Singh cashier of the Jullundur branch and Shri Sanjhi Ram cashier of the Amritsar Branch of the Bank. The request was, however, not acceded to as in the opinion of the enquiry officer three of the witnesses were not necessary while for the production of the others i.e. the two cashiers was the responsibility of the workman himself. The enquiry officer, however, wrote to the respective branches of the Bank where Sarvshri Puran Singh and Sanjhi Ram were employed to relieve them to appear before him, if they so wanted. This was not the correct way of summoning the witnesses. They were the employees of the Bank and they should have been summoned by the enquiry officer and he could have made a proper order as to the expenses to be incurred in connection with their production. There was in a way tussle between the representative of the workman and the enquiry officer about the production of these witnesses. It may be noted that the management does not seem to have raised any objection on this point. The point made by the representative of the workman was that the two cashiers should be produced by the management at its own expense because they had been examined during the first enquiry at the expense of the workman and he was not obliged to summon them again at his own expense as the first enquiry officer was replaced by the second enquiry officer by the management against the workman's wishes. There is ample evidence on the record to show that the workman was not in favour of the appointment of a second enquiry officer though he had some grouse against the first enquiry officer in the matter of the conduct of the enquiry. For the

reasons which are not quite clear, the management, however, thought it proper to appoint a fresh enquiry officer. In this connection a reference may be made to the documents Exts R 3/5, R 3/18, R 3/19 and R 3/29. If the management thought it fit to appoint a fresh enquiry officer even against the wish of the workman he could legitimately expect from it that it should summon the witnesses and meet their expenses. The enquiry officer was not justified in throwing the burden of summoning the witnesses on the workman who must be hard up financially due to the circumstances in which he was placed.

There is another point which is none-the-less important. The enquiry officer admitted that he disallowed questions by the workman in regard to the proceedings recorded by the first enquiry officer on the ground that he was holding a fresh and independent enquiry. The workman was entitled to make use of the statements of any of the witnesses examined before the two enquiry officers. When the enquiry officer did not agree to summon the two cashiers at the expense of the management the workman requested that the statements made by them in the first enquiry be brought on the record and read in evidence. Even this request was not granted by the enquiry officer. A reference to the proceedings of the enquiry recorded on 12th July 1962 would show that the representatives of the workman did not proceed with the cross examination of the witnesses of the management as a protest against the conduct of the enquiry officer. The order of the enquiry officer of that date that all witnesses having been examined and the employee not having, or willing, to produce any witnesses at the enquiry does not reflect the correct position. The evidence of the workman was closed in spite of repeated requests for the summoning of the witnesses. It will be interesting to note that even the statement of the workman was not recorded after the close of the evidence of the management though he was examined at the opening of the enquiry.

Shri R. K. Jain in his statement as his own witness has deposed about the importance of the evidence of the five witnesses he wanted to examine at the enquiry.

In view of what has been stated above I am of the opinion that the enquiry officer was not justified in brushing aside the genuine request of the workman for the production of witnesses.

For the reasons given above I hold that as the workman concerned was not afforded a reasonable opportunity to produce evidence in defence the management was not justified in terminating his services on the basis of the report of the enquiry officer. This issue is decided against the management.

In the result the management is directed to reinstate Shri R. K. Jain with continuity of and without any change in the conditions of his service. It is in the statement of the workman that after his discharge he had not been in service nor did he earn anything during this period and there is no evidence to contradict him on this point. He shall therefore be paid full back wages for the period of unemployment and the period of his suspension minus the subsistence allowance etc paid to him. I would, however, make no order as to costs.

7-4-1967.

Sd/- Illegible
Presiding Officer,
Industrial Tribunal Chandigarh
[No 51/66/64/T.RIV]

New Delhi, the 29th April 1967

S O. 1619.—The Central Government hereby publish the following Order of the Industrial Tribunal-cum-Labour Court, Jabalpur in respect of the matter referred to it under section 38A of the Industrial Disputes Act, 1947, by the Order of the Government of India in the Ministry of Labour and Employment No S O 55 dated 21st December, 1964 published in the Gazette of India on 2nd January 1965 seeking interpretation of the terms of the settlement dated 3rd November, 1962, arrived at between the employers in relation to the Rajhara, Nandini and Hirri Mines of the Bhilal Steel Project of Hindustan Steel Limited and their workmen relating to the coverage of Nominal Muster Roll workmen of Prospecting Division of the Mines

**BEFORE THE INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT (CENTRAL) AT
JABALPUR.**

Dated January 30, 1967.

PRESENT:

Sri G. C. Agarwala—*Presiding Officer.*

REFERENCE No. CIT/LC 34 OF 1966 (JABALPUR)

REFERENCE No. CGI T-104 OF 1964 (BOMBAY)

In the matter of a Dispute in the course of conciliation proceedings between the Employers in relation to the Rajhara, Nandini and Hirri Mines of the Bhilai Steel Project of Hindustan Steel Limited and their workmen.

APPEARANCES:

For the employers: S/Sri L. J. Kale, Senior Labour Officer (Mines), & G. P. Dubey, Asstt. Law Officer (Mines).

For the workmen: 1. Sri H. C. Gupta, Secretary, Steel Workers Union.
2. Sri P. K. Thakur, Vice President, S. K. M. Sangh.

INDUSTRY—Non-coal mining.

DISTRICT—Durg (M.P.)

ORDER

The Ministry of Labour & Employment, Government of India, by Notification No. 23/5/63-LR1, dated 21st December 1964, passed an order, contents whereof are reproduced below being material, to the Bombay Central Industrial Tribunal for interpretation of a settlement under Section 36-A of the I.D. Act:

“S.O.—Whereas in the course of conciliation proceedings the employers in relation to the Rajhara, Nandini and Hirri Mines of the Bhilai Steel Project of Hindustan Steel Limited and their workmen represented by the Steel Workers’ Union arrived at a settlement on the 3rd November, 1962;

And, whereas in the opinion of the Central Government a doubt has arisen as to the correct interpretation of the said settlement on the question specified in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by section 36A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said question for decision to the Industrial Tribunal, Bombay constituted under Section 7A of the said Act.

THE SCHEDULE

Whether the settlement dated the 3rd November, 1962, arrived at between the employers in relation to Rajhara, Nandini and Hirri Mines of Bhilai Steel Project, Bhilai and Steel Workers’ Union, Bhilai before the Regional Labour Commissioner (Central), Jabalpur covers the Nominal Muster Roll workmen of Prospecting Division of the Mines?”

Copies of this order were sent by the Ministry to the General Manager, Bhilai Steel Project, Bhilai representing the management and to the General Secretary, Steel Workers’ Union, the Union which brought about the settlement. It may be mentioned that the settlement in question was reached during conciliation proceedings under Sec. 12 of the Industrial Disputes Act between the management and the Steel Workers’ Union, Bhilai. It was signed by Sri P. Majumdar on behalf of the employers and Sri P. K. Sen Gupta representing the workmen as an office bearer of the Union. It would also be material to reproduce the Memorandum of settlement:

Short Recital of Case

The non-absorption of ‘N.M.R.’ and workcharged employees in regular establishment and the non-payment of mining allowance to ‘N.M.R.’ and ‘workcharged employees’ of the Rajhara, Nandini and Hirri Mines of the Bhilai Steel Project had for a long time been agitating the workers of the mines. The Steel Workers’ Union, Bhilai had raised industrial disputes on these two issues, amongst others, in November, 1961, and March, 1962. These demands had been taken up for conciliation but no settlement could be reached.

The parties again approached the Regional Labour Commissioner (Central), Jabalpur on 3rd November, 1962 and requested for his intervention.

Accordingly conciliation proceedings were held by the Regional Labour Commissioner on 3rd November, 1962 and a settlement of the dispute was reached on the same day on the following terms:—

Terms of Settlement

- (1) Agreed that the 'N.M.R.' employees of the Rajhara, Nandini and Hirri Mines who have completed six months of satisfactory and continuous service as on 31st July, 1962, will be absorbed in the workcharged establishment within two months from date.
- (2) Agreed that all possible efforts will be made in consultation with the union to find out alternative employment for those N.M.R. employees who have not completed six months' continuous service.
- (3) Agreed that mining allowance will be paid to workcharged employees with effect from 1st July, 1961 and that the arrears of this allowance will be paid within two months from date. The Union will persuade the workers to invest at least 50 per cent of the arrears of the mining allowance in Bonds/Certificates for Defence of India.

Representing Employers

Sd/- P. MAJUMDAR

Representing Workmen

Sd/- P. K. SENGUPTA

Before the Bombay Tribunal notices were sent to the management and to the Steel Workers Union. The Steel Workers Union remained absent. Sri P. K. Sengupta, who had signed the agreement on behalf of the Steel Workers Union seems to have formed another union under the style, Khadan Mazdoor Congress and moved an application to the Bombay Tribunal contending that most of the workers particularly of the mines have joined the new union and this union should be made a party and be allowed representation under Sec. 36(2) of the Industrial Disputes Act. The application remained pending before the Bombay Tribunal and in the meanwhile another Union, the Samyukt Khadan Mazdoor Sangh, moved the said Tribunal to be made a party and to be allowed representation. Before any orders could be passed on these applications the proceedings were transferred to this Tribunal at Jabalpur by the Ministry vide Notification No. 26/11/66-LRI, dated 26th September, 1966.

Notices were directed to be sent to all the three unions namely, Steel Workers Union, Khadan Mazdoor Congress and Samyukta Khadan Mazdoor Sangh. The case came up for preliminary hearing on 18th November, 1966 and Sri H. C. Gupta, Secretary, Steel Workers Union appeared for this Union and stated that he had nothing to say in the matter. In other words, the Steel Workers Union does not oppose the interpretation given by the management. No one turned up for Khadan Mazdoor Congress. The Samyukta Khadan Mazdoor Sangh, however, has vehemently contended that they should be made a party and be allowed to represent the workmen as they had been agitating the question that the afore-said settlement covers the workers of Nominal Muster Roll of Prospecting Division also. The initial stand taken by the representative of this Union was that the Union should be made a party under Sec. 18(2) of the Industrial Disputes Act. When this was not found possible this Union to be hereinafter described as Sangh, changed its stand and contended that they should be allowed to be represented on behalf of the workmen under Section 36(2) of the Act. Arguments on the question have been heard at length. It is clear that in a case under Sec. 36-A of the Act, the Tribunal has no power to implead a fresh party. The jurisdiction is a limited one and all that is required under Sub-section (2) is "after giving the parties an opportunity of being heard, decide such question". The "parties" obviously refer to the original parties. The Tribunal has no jurisdiction to implead a new party under Sec. 18(3) (b). This, however does not dispose of the matter and considering the stand taken up now by the Sangh that they should at least be allowed representation under Section 36(2), the question for consideration is whether such a course is legally permissible. This is a question which is not free from difficulty and is indeed a matter on which there is no direct authority. At least none has been cited on behalf of the parties and in spite of my best efforts, I have not been able to find out a relevant case giving any guidance. The words used in Sec. 36-A are "the parties" without anything further. The pertinent question, therefore, is whether "the parties" would mean "the parties who signed the agreement" or would this include parties to the dispute. This question cannot be decided without reference to the relevant anterior

sections. It may be remembered that this is a case of interpretation of a settlement arrived at during conciliation proceedings for which Sec. 12(3) is relevant. Sec. 12, sub-section (1) starts by stating that if an industrial dispute exists or is apprehended the conciliation officer may hold conciliation proceedings. Under Sub-section (2) the conciliation officer has been enjoined to do all acts *for the purpose of inducing the parties to come to a fair and amicable settlement of the dispute*. The words used again are "the parties". The words "the parties" will again have to be read in context with Sub-section (1) which means the parties to the dispute. An industrial dispute is a collective dispute between the workmen and employers and is not confined to a Union and the Management. For if a settlement had been brought about outside conciliation proceedings, Section 12 has no application and Sec. 18(1) is relevant which states that "a settlement arrived at by agreement between the employer and workman otherwise than in the course of conciliation proceeding shall be binding on the parties to the agreement." Had this settlement been brought about beyond conciliation proceedings under Section 18(1) of the Act it would have been binding only on the parties to the agreement, namely, the Union and the Management, and in that case there would have been no difficulty for a reference under Sec. 36-A and to hear that Union alone. Since, however, this was a settlement brought about during conciliation proceedings under Sec. 12 and Sec. 18(3)(a) it is going to bind all parties to the industrial disputes, it follows that the settlement is going to bind the entire body of the workmen. That being so, in the context in which the words "the parties" have been used in Sec. 36-A it will mean that the entire body of workmen who are bound by the settlement should be given an opportunity of being heard. The Steel Workers Union which reached the agreement has somehow agreed with the management in the interpretation of the settlement. In order to safeguard the interests of the workmen as a class it appears just and proper that the Samyukta Khadan Mazdoor Sangh should be allowed to be represented and be heard even though no notice had been sent by the Ministry to this Union. Such a course is legally permissible under Sec. 36 read with Sec. 18(3)(a) of the Act. It is but just and equitable also, particularly when the Steel Workers Union has not come to press the point of workers of the Prospecting Division. As a matter of fact, it appears, that this Union had been pressing that the benefit of the settlement should also go to the workers of the Prospecting Division. When it was at the instance of their agitation which has resulted in this reference, it is but just and proper that they should be allowed to represent the workmen and be heard in the case. That they had such a representative capacity is manifest by an affidavit filed before me attaching therewith a petition signed by a large number of workers of the Prospecting Division stating that they have authorised Samyukta Khadan Mazdoor Sangh to represent them in this reference.

It may be mentioned that on behalf of the management certain cases have been cited but they are all irrelevant and inapplicable. The Supreme Court case of Ram Prasad Vishwakarma Vs. Industrial Tribunal Patna reported in 1961(I)LLJ p. 504 which states that individual workman is at no stage a party, concedes the principle that a party to the dispute should have a fair hearing. As a matter of fact, this is a case which goes against the contention of the management. Another Hon'ble Supreme Court case of Central Bank of India Ltd. Vs. Rajagopalan reported in 1963 (II)LLJ p. 89 is wholly inapplicable and merely traces the history of Sec. 33-C(2) and of the entire Act including the basis of the provision of Sec. 36-A. The Calcutta High Court case of Britannia Engineering Company Ltd. and other Vs. Basu Mazumdar and others reported in 1961-II-LLJ p. 310 and in 1961 F.L.R. Vol. 3 p. 8, only states that a reference under Sec. 36-A cannot be made to supplement the original award so as to make a fresh reference under Sec. 10. The Patna High Court case of Bengal Coal Company Ltd. Vs. Central Government Industrial Tribunal and other reported in (1962) F.L.R. Vol. 5, p. 418 is merely an authority on the point that notice has to be given to the original parties to the award and it is not a matter of procedure alone but a statutory duty. None of these cases lend any support to the contention of the management that Steel Workers Union alone was a party and the Sangh should not be allowed to be heard on behalf of the workmen.

It is, therefore, directed that Samyukta Khadan Mazdoor Sangh may be allowed to be represented under Sec. 36-A and would be heard.

Notice shall, however, go to Khadan Mazdoor Congress also which had also claimed to be represented in the case and their application moved initially by Sri P. K. Sengupta, the original signatory of the agreement has remained without.

order so far. It may be that this Union, Khadan Mazdoor Congress, has had no information of the proceedings and therefore has not made an appearance.

Sd/- G. C. AGARWALA,
Presiding Officer, Industrial
Tribunal-cum-Labour Court (Central), Jabalpur.
30-1-67.

Dated March 30, 1967

After the above order was passed on 30th January, 1967, notices were issued not only to Samyukta Khadan Mazdoor Sangh but also to Khadan Mazdoor Congress through Sri P. K. Sengupta, a Union which had been absented after filing a written statement in this case. This Union again absented on the next hearing which was 24th February, 1967 and the proceedings had to be conducted *ex parte* against this Union. The employers filed three papers on affidavit and some arguments were heard on the following date. After hearing the arguments it transpired that according to the management there is a Centralised Prospecting Division which does the initial prospecting work in areas beyond Rajahara, Nandini and Hirri mines and that there is no prospecting division attached as such to these three mines collectively or separately in September, 1962 or at any time before or subsequent thereto. The employers were, therefore, required to file an affidavit showing the administrative set up of the prospecting division and the nature of work being done by it. They were also required to file copy of leases of these mines. The further fact that those persons who were doing prospecting work on N.M.R. were not doing any work connected with these three mines and that there was no N.M.R. labour for prospecting in these mines was also to be stated on affidavit. This the management was required to do on 13th March, 1967 and which they, however, did on 24th March, 1967. These statements which have been filed on affidavit by Sri B. Mukerji, Asstt. Superintendent, Ore Mines and Quarries, are Ex. E.I./A to E.I.V. A copy of affidavit was given to Sri P. K. Thakur, Vice President of Samyukta Khadan Mazdoor Sangh. He was required to file a counter affidavit and the 30th March, 1967, was fixed for the purpose and for further arguments. Sri P. K. Thakur has remained absent and no one turned up for this Union. The management was represented by their three officers S/Shri B. Mukerji, N. P. Sirpurkar and L. J. Kale. There was no alternative left but to proceed *ex parte* against this Union also the S.K.M. Sangh. After hearing further arguments on behalf of the management the proceedings were concluded.

From the affidavit of Sri B. Mukerji it appears, that the initial prospecting for these Rajhara, Nandini and Hirri Mines was carried out and completed by the Indian Bureau of Mines, Government of India. In September, 1962, at the time of the settlement there was a Centralised Prospecting Division under the Superintendent of Ores, Mines and Quarries. The set up of the units was mineralwise and which is headed by Assistant Superintendent, Prospecting, Reconnaissance and Planning. It is an independent establishment and not a part of any of the three mines. Each mine under Sec. 17 of the Indian Mines Act 1952 and Regulation 34 of the Mines Metalliferous Regulations 1961 is headed by an independent Mines Manager, while the prospecting units are headed by a Geologist or Assistant Geologist directly responsible to Assistant Superintendent (Prospecting, Reconnaissance and Planning). It has also been categorically stated in the affidavit that no Prospecting Division either collectively or separately is attached to any of these mines. Whatever prospecting work was being done by this centralised Prospecting Division was in areas beyond these mines. As a matter of fact, this prospecting work is probably done in Dalli area for which mining leases were obtained subsequent to the settlement, *viz.*, on 5th November, 1962 and 26th April, 1966. The affidavit of Sri B. Mukerji further shows that no N.M.R. employee of Prospecting Division was or had been doing any work connected with Rajhara, Nandini and Hirri mines. Consequently, at the time of the settlement on 3rd November, 1962, there could be no question of any N.M.R. or Work-charged employees of Prospecting Division with reference to these particular mines. The terms of settlement are specific for these three mines alone and cannot by the language of the settlement refer to N.M.R. or Work-charged employees working in the prospecting work connected with other mines like the Dalli mine which is being prospected by the Bhilai Steel Project at the present juncture.

The Argument which appears to have been pressed before the Regional Labour Commissioner and was reiterated in the written statement before this Tribunal is based on the ground that there is no separate prospecting license for the centralised Prospecting Division. This undoubtedly is so. But under Sec. 4 of the Mines and Minerals (Regulation and Development) Act, 1957 (Act 67 of

1957), the prohibition is that no person shall undertake any prospecting or mining operation without a prospecting license or a mining lease. Since, however, a mining lease for Dalli area has been obtained by the Bhilai Steel project there is no inhibition for carrying out prospecting operations also in that area. Just because no prospecting license has been obtained for the central prospecting division, it does not necessarily follow that every mine and particularly these three mines have a separate prospecting division attached to them. When the mines are working and no initial prospecting is necessary to be performed for these mines, it is but natural that there could be no prospecting division attached as such to these mines. As a matter of fact, prospecting is an initial exploratory process and there could be no occasion for prospecting process for these mines after they are fully operating and as such to have N.M.R. workmen. Had there been any such workman and prospecting in these mines, the terms of settlement would have specifically mentioned in such language so as to cover the N.M.R. employees also with regard to these mines. In the absence of any words indicating the inclusion of N.M.R. employees of Prospecting Division with respect to these mines, the employers contention must be accepted that there is no Prospecting Division attached to these mines nor are there any N.M.R. employees.

DECISION

It is, therefore, held that the settlement, dated 3rd November, 1962, referred to in the Schedule to the order of reference does not cover the Nominal Muster Roll workmen of the Central Prospecting Division, there being no separate Prospecting Division for these mines.

Sd/- G. C. AGARWALA,

Presiding Officer.
30-3-67.

[No. F. 23/5/63-LR-I.]

ORDERS

New Delhi, the 27th April 1967

S.O. 1620.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Punjab National Bank Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, Therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Mithan Lal shall be the Presiding Officer, with headquarters at Allahabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether having regard to the terms of the Staff Department Circular No. 561 dated the 3rd March, 1964, the management of the Punjab National Bank is justified in granting only two marks for the purposes of seniority of Shri Kishori Lal Tandon, Clerk, in the Generalganj Branch, Kanpur in so far as he had been given a starting salary of Rs. 97/- per mensem in the then existing scale and paid at that rate for one full year? If not, to what relief is he entitled?

[No. 51/1/67/LR.III.]

S.O. 1621.—Whereas the employers in relation to Messrs Dharsi Moolji, Bombay and their workmen represented by the Transport and Dock Workers Union, Bombay have jointly applied to the Central Government for reference of an industrial dispute that exists between them to a Tribunal in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed;

And, Whereas the Central Government is satisfied that the said Transport and Dock Workers Union, Bombay represents a majority of the workmen.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the employers are justified in not implementing the recommendations made by the Central Wage Board for Port and Dock Workers from time to time in respect of payment of Interim Relief and Additional Dearness Allowance to all their employees with retrospective effect. If so, what Scheme of Dearness Allowance the employees are entitled to and from what date; and what should be the proper scales of pay for the concerned employees, the method of classification, fixation and adjustment in the revised pay scales and from what date?

[No. 28(162)/66-LRIV.]

S.O. 1622.—Whereas the employers in relation to the Bombay Licensed Measurers Limited, Bombay and their workmen represented by the Transport and Dock Workers Union, Bombay have jointly applied to the Central Government for reference of an industrial dispute that exists between them to a Tribunal in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed;

And, Whereas the Central Government is satisfied that the said Transport and Dock Workers Union, Bombay, represents a majority of the workmen.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

SCHEDULE

Whether the following demands of the Callipermen and Stampmen are justified?

1. *Pay Scales.*—A. The present scales of pay should be revised as under:

(a) Stampmen and Callipermen: Rs. 45—4—85—5—110—5—135.

(b) Assistant Havaldar: Rs. 60—4—80—5—105—7—140

(c) Havaldar: Rs. 80—5—105—7—140—8—180

B. The Callipermen should be given "Calliper-allowance" of Rs. 30 per month which should be considered as part of salary for all.

C. *Filing Allowance.*—All employees called upon to do filing work should be paid an allowance of Rs. 30/- per month.

2. *Fixation.*—All employees should be fixed in their respective scale on point to point basis in accordance with their service.

3. *Supervision.*—There should at least be one Havaldar in Alexandra Dock and one in P&V Docks along with two Assistant Havaldars, one in each of the above Docks.

4. *Dearness Allowance.*—All employees should be paid dearness allowance of 30 days on the basis paid to the Textile workers of Bombay.

5. *Overtime.*—All categories of employees should be given equal opportunity for overtime work and the overtime should be paid at double the normal rate of wages.

6. *Long Distance Allowance.*—All employees booked for work at a long distance from the docks such as Hay and Haji Bunder should be paid Rs. 2/- per shift as conveyance and food allowance.

7. *Leave Travel Concession.*—All employees should be granted the benefit of Leave Travel Concession on the same basis as is granted to the Bombay Port Trust and the Bombay Dock Labour Board workers.

8. *Free Uniforms.*—All the employees should be given at least four sets of uniforms as well as a pair of gum boots, one rain coat and a Sola hat and one set of warm clothing every year. Employees should also be paid Rs. 6/- as washing allowance per month.

9. *Education Allowance.*—All employees should be given an allowance at the rate of Rs. 10/- per child as education allowance.

[No. 28/93/66/LRIV.]

A. L. HANDA, Under Secy.

(Department of Labour and Employment)

New Delhi, the 29th April 1967

S.O. 1623.—In pursuance of proviso (a) to sub-regulation (1) of regulation 16 of the Metalliferous Mines Regulations, 1961, the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Employment, No. S.O. 2793 dated the 23rd September, 1963, namely:—

At the end of the Table appended to the said notification, the heading "WESTERN AUSTRALIA" and the following serial number and entries shall be inserted, namely:—

I	II
"1. Kalgoorlie School of Mines, Kalgoorlie, Western Australia.	Associateship Diploma in Mining."

[Amendment No. 4].

[No. 17/3/67/MI.]

S.O. 1624.—In pursuance of sub-clause (ii) of clause (a) of sub-regulation (1) of regulation 23 of the Metalliferous Mines Regulations, 1961, the Central Government hereby makes the following amendments in the notification of the Government of India in the late Ministry of Labour and Employment, No. S.O. 1455 dated the 17th May, 1963, namely:—

At the end of the Table appended to the said notification, the heading "WESTERN AUSTRALIA" and the following serial number and entries shall be inserted, namely:—

I	II
"1. Kalgoorlie School of Mines, Kalgoorlie, Western Australia.	Associateship Diploma in Mining."

[Amendment No. 5].

[No. 17/3/67/MI.]

S.O. 1625.—In pursuance of clause (ii) of sub-regulation (1) of regulation 24 of the Metalliferous Mines Regulations, 1961, the Central Government hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 2796, dated the 28th September, 1963, namely:—

In the Table appended to the said notification, under the heading 'FOREIGN' after serial number 10 and in entries relating thereto, the following serial number and entries shall be inserted, namely:—

I	II
"1. Kalgoorlie School of Mines, Kalgoorlie, Western Australia.	Associateship Diploma in Mining."

[Amendment No. 4].

[No. 17/3/67/MI.]

S.O. 1626.—In pursuance of the proviso to regulation 17 of the Metalliferous Mines Regulations, 1961, the Central Government hereby makes the following

further amendments in the notification of Government of India in the late Ministry of Labour and Employment No. S.O. 2795 dated the 23rd September, 1963, namely:—

In the Table appended to the said notification, under the heading 'FOREIGN' after serial number 10 and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

I	II
"1. Kalgoorlie School of Mines, Kalgoorlie, Western Australia.	Associateship Diploma in Mining."

[Amendment No. 4].

[No. 17/3/67/ML.]

S.O. 1627.—In pursuance of clause (b) of the proviso to sub-regulation (1) and clause (b) of the proviso to sub-regulation (2) of regulation 18 of the Metalliferous Mines Regulations, 1961, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation No. S.O. 1675 dated the 30th May, 1966, namely:—

At the end of the Table appended to the said notification, the heading "WESTERN AUSTRALIA" and the following serial number and entries shall be inserted, namely:—

I	II
"1. Kalgoorlie School of Mines, Kalgoorlie, Western Australia.	Associateship Diploma in Mining."

[Amendment No. 1].

[No. 17/3/67/ML.]

R. C. SAKSENA, Under Secy

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 20th April 1967

S.O. 1628.—In exercise of the powers conferred by Sub-Section (i) of Section 3 of Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri N. P. Jaisinghani, Asstt. Settlement Commissioner, Bombay as Settlement Commissioner for the purpose of performing the function assigned to such officers by or under the said act with effect from 1st April, 1967.

[No. 5(3)AGZ/67.]

S.O. 1629.—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints Shri N. P. Jaisinghani, Asstt. Settlement Commissioner, Bombay as Custodian for the States of Maharashtra, Gujrat, Andhra Pradesh, Madras, Mysore and Kerala for the purpose of duties imposed on Custodian by or under the said Act with effect from 1st April, 1967.

[No. 5(3)AGZ/67.]

A. G. VASWANI,
Settlement Commissioner (A) & Ex-
Officio Under Secy.

MINISTRY OF INDUSTRIAL DEVELOPMENT & COMPANY AFFAIRS

ORDER

New Delhi, the 28th April 1967

S.O. 1630.—IDRA/6/5.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with Rules 2, 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints up to 4th March, 1968 Shri D. D. Desai, 20 Graham Road, Ballard Estate, Bombay-1, as Chairman of the Development Council established by the Order of the Government of India in the Ministry of Industry No. S.O./IDRA/6/5, dated the 5th March, 1966 as amended from time to time for the scheduled industries engaged in the manufacture or production of electric motors and of machinery and equipment for the distribution of electrical energy (excluding house service meters and panel instruments).

Shri D. D. Desai who was notified as chairman in the order dated the 5th March, 1966 had resigned on the 17th January, 1967 and the resignation was accepted on the 19th January, 1967.

[No. EEI-19(20)/63.]

K. N. SHENOY, Dy. Secy.

(Department of Industrial Development)

ORDER

New Delhi, the 1st May 1967

S.O. 1631.—IDRA/6/67.—In exercise of the Powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with Rules 5(1) and 8 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints Shri J. M. Shrivastava, Director (Ancillary), office of the Development Commissioner, Small Scale Industries, Nirman Bhavan, New Delhi to be a member of the Development Council established by the order of the Government of India in the late Ministry of Industry No. S.O. 940 dated the 21st March, 1966, for the scheduled industries engaged in the manufacture or production of Automobiles, Automobiles Ancillary Industries, Transport Vehicle Industries, Tractors and Earth-Moving Equipment and Internal Combustion Engines, and directs that the following amendment shall be made in the said order, namely;

For the entry:—

“22. Dr. S. T. Merani, Development Commissioner, Small Scale Industries, Udyog Bhavan, New Delhi.”.

The following shall be substituted:—

“22. Shri J. M. Shrivastava, Director (Ancillary), office of the Development Commissioner, Small Scale Industries, Nirman Bhavan, New Delhi.”.

[No. 1(93)/65-A.E. Ind.(I).]

S. R. KAPUR, Under Secy.

(Department of Industrial Development)

(Indian Standards Institution)

New Delhi, the 24th April, 1967

S.O. 1632.—In pursuance of the provisions of sub-rule (2) of rule 3 of the Indian Standards Institution (Certification Marks), Rules, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the schedule hereto annexed have been established during the quarter ending 31 March, 1967.

THE SCHEDULE

Sl. No.	No. of Indian Standard	Title of Indian Standard
(1)	(2)	(3)
1	IS : 25—1966	Specification for antifriction bearing alloys (<i>second revision</i>)
2	IS : 193 —1966	Specification for soft solder (<i>Second revision</i>)

(1)	(2)	(3)
3	IS : 283—1966 . . .	Specification for porcelain insulators for telegraph and telephone lines (<i>second revision</i>)
4	IS : 496—1966 . . .	Specification for internal combustion engine lubricating oils (<i>revised</i>)
5	IS : 632—1966 . . .	Specification for BHC emulsifiable concentrates (<i>second revision</i>)
6	IS : 687—1966 . . .	Method for determination of colour fastness of textile materials to washing; test 1 (<i>first revision</i>)
7	IS : 713—1966 . . .	Specification for zinc base alloy ingots for die casting (<i>first revision</i>)
8	IS : 715—1966 . . .	Specification for coated abrasives, glue bond (<i>second revision</i>)
9	IS : 722 (Part III)—1966 . . .	Specification for ac electricity meters Part III three-phase whole-current and transformer-operated meters, and single-phase two-wire transformer-operated meters, (<i>first revision</i>)
10	IS : 722 (Part IV)—1966 . . .	Specification for ac electricity meters Part IV three-phase watt-hour meters with maximum demand indicator (<i>first revision</i>)
11	IS : 738—1966 . . .	Specification for wrought aluminium and aluminium alloys, drawn tube (for general engineering purposes) (<i>revised</i>)
12	IS : 739—1966 . . .	Specification for wrought aluminium and aluminium alloys, wire (for general engineering purposes) (<i>revised</i>)
13	IS : 744—1966 . . .	Method for determination of wool fibre diameter—projected microscope method (<i>first revision</i>)
14	IS : 764—1966 . . .	Method for determination of colour fastness of textile materials to washing : test 2 (<i>first revision</i>)
15	IS : 779 E—1966 . . .	Specification for water meters (domestic type) (<i>emergency third revision</i>)
16	IS : 916—1966 . . .	Specification for 18-litre square tins (<i>revised</i>)
17	IS : 925—1966 . . .	Specification for pocket knives (<i>revised</i>)
18	IS : 943—1966 . . .	Specification for 680—1/min. trailer pump for fire brigade use (<i>first revision</i>)
19	IS : 944—1966 . . .	Specification for 1 800-1/min. trailer pump for fire brigade use (<i>first revision</i>)
20	IS : 945—1966 . . .	Specification for 1 800-1/min. motor fire engine (<i>first revision</i>)
21	IS : 974—1966 . . .	Method for determination of colour fastness of textile materials to steaming (<i>first revision</i>)
22	IS : 996—1964 . . .	Specification for single-phase small ac and universal electric motors (<i>revised</i>)
23	IS : 1060 (Part I)—1966 . . .	Methods of sampling and test for paper and allied products : Part I (<i>revised</i>)
24	IS : 1090—1965 . . .	Specification for compressed hydrogen (<i>revised</i>)
25	IS : 1150—1966 . . .	Trade names and abbreviated symbols for timber species (<i>first revision</i>)
26	IS : 1300—1966 . . .	Specification for phenolic moulding materials (<i>second revision</i>)
27	IS : 1327—1966 . . .	Method of determination of weight of tin coating of tinplate (<i>revised</i>)
28	IS : 1331—1966 . . .	Specification for cut sizes of timber (<i>first revision</i>)
29	IS : 1357—1966 . . .	Specification for printing metal (<i>revised</i>)
30	IS : 1441—1966 . . .	Specification for insulator stalks for telegraph and telephone lines (<i>first revision</i>)
31	IS : 1445—1966 . . .	Specification for porcelain insulators for overhead power lines (below 1000 volts) (<i>revised</i>)
32	IS : 1565—1966 . . .	Specification for electrical apparatus comprising resistors (<i>revised</i>)
33	IS : 1837—1966 . . .	Specification for fanlight pivots (<i>first revision</i>)
34	IS : 1883—1966 . . .	Specification for metal shelving racks (adjustable type) (<i>first revision</i>)
35	IS : 1885 (Part III/Sec. I)—1965 . . .	Electrotechnical vocabulary Part III Acoustics Section I Physical acoustics
36	IS : 1899—1965 . . .	Specification for blow lamps (<i>revised</i>)
37	IS : 1904—1966 . . .	Code of practice for structural safety of buildings : foundations (<i>first revision</i>)

(1)	(2)	(3)
38	IS : 1918—1966 . . .	Methods of physical tests for foundry sands
39	IS : 2347—1966 . . .	Specification for domestic pressure cookers (<i>revised</i>)
40	IS : 2395 (Part I)—1966 . . .	Code of practice for painting concrete, masonry and plaster surfaces Part I operations and workmanship.
41	IS : 2629—1966 . . .	Recommended practice for hot-dip galvanizing of iron and steel
42	IS : 2720 (Part XX)—1966 . . .	Methods of test for soils Part XX Determination of linear shrinkage
43	IS : 3070 (Part II)—1966 . . .	Specification for lightning arresters for alternating current systems Part II Expulsion type lightning arresters
44	IS : 3106—1966 . . .	Code of practice for selection, installation and maintenance of fuses (voltage not exceeding 650 volts)
45	IS : 3138—1966 . . .	Specification for hexagonal bolts and nuts (M42 to M 150)
46	IS : 3268—1965 . . .	Specification for stockless anchors (for ships' use)
47	IS : 3346—1966 . . .	Methods for the determination of thermal conductivity of thermal insulation materials (two slab, guarded hot-plate method)
48	IS : 3353—1966 . . .	Code for inland packing of wool hosiery yarn and goods
49	IS : 3419—1965 . . .	Specification for fittings for rigid non-metallic conduits
50	IS : 3434—1965 . . .	Glossary of terms for adhesives and pressure sensitive adhesive tapes
51	IS : 3465—1966 . . .	Specification for joining compounds for use in liquefied petroleum gas appliances and installations
52	IS : 3469—1966 . . .	Specification for tolerances for steel drop forgings, upset forgings, press forgings and forged bars
53	IS : 3516—1966 . . .	Specification for cast iron pipe flanges and flanged fittings, class 9, for petroleum industry
54	IS : 3521—1965 . . .	Specification for lineman's leather safety belt and strap
55	IS : 3524—1966 . . .	Specification for threaded taper pins
56	IS : 3550—1965 . . .	Methods of test for routine control for water used in industry
57	IS : 3551—1965 . . .	Specification for pure nitrogen (dry)
58	IS : 3554—1966 . . .	Glossary of terms relating to electroplating
59	IS : 3570—1965 . . .	Nomenclature of fruits
60	IS : 3621—1966 . . .	Specification for domestic refrigerators (absorption type)
61	IS : 3628—1966 . . .	Specification for sidelights, tail-lights, parking lights, stop lights and direction indicators for automobile use
62	IS : 3630—1966 . . .	Code of practice for construction of non-load bearing gypsum block partitions
62(a)	IS : 3642—1966 . . .	General requirements for surgical instruments
62(b)	IS : 3643—1966 . . .	Specification for dissecting forceps (serrated and toothed)
62(c)	IS : 3644—1966 . . .	Specification for artery forceps (halsted's mosquito pattern)
63	IS : 3652—1966 . . .	Specification for foot sprayer
64	IS : 3667—1966 . . .	Specification for B-twill cloth
65	IS : 3668—1966 . . .	Specification for liverpool twill (L-twill) cloth
66	IS : 3671—(Part I)—1966 . . .	Specification for air dielectric variable capacitors Part I tests and general requirements
67	IS : 3676—1966 . . .	Specification for pressure sensitive adhesive PVC tapes
68	IS : 3677—1966 . . .	Specification for rock and slag wool mats for thermal insulation
69	IS : 3685—1966 . . .	Methods of chemical analysis of brasses
70	IS : 3687—1966 . . .	Specification for pressure sensitive adhesive cloth tapes
71	IS : 3689—1966 . . .	Conversion factors and conversion tables for yarn counts
72	IS : 3696 (Part I)—1966 . . .	Safety code for scaffolds and ladders Part I Scaffolds
72(a)	IS : 3697—1966 . . .	Boundary dimensions for tapered roller bearings
73	IS : 3700 (Part I)—1966 . . .	Essential ratings and characteristics of semiconductor devices Part I general
74	IS : 3701—1966 . . .	Specification for rubber protective sheaths (condoms)
75	IS : 3702—1966 . . .	Specification for refills for vacuum flasks
76	IS : 3703—1966 . . .	Code of practice for magnetic particle flaw detection
77	IS : 3704—1966 . . .	Methods for sampling of light metals and their alloy products

(1)	(2)	(3)
78	IS : 36705-1966	Specification for ball point pens
79	IS : 3706-1966	Specification for fountain pens
80	IS : 3708 (Part I)-1966	Methods of test for natural rubber latex Part I dry frubber content, total solids, coagulum content, viscosity, sludge content, density, total alkalinity, koh-number machine, cal stability, volatile fatty acid number, pH, total nitrogen, total copper, total iron, total managanese and total ash
81	IS : 3710-1966	Specification for filling ratios for liquefiable gases
82	IS : 3711-1966	Methods for selection and preparation of samples and test pieces for mechanical tests for wrought steel
83	IS : 3712-1966	Specification for radish
84	IS : 3714-1966	Method for sampling of bigger size foodgrains
85	IS : 3715-1966	Letter symbols for semiconductor devices
86	IS : 3717-1966	Specification for refind secondary lead
87	IS : 3720-1966	Dimensions of polarized plugs for hearing aids
88	IS : 3721-1966	Specification for cheese cutting knives for table use
89	IS : 3725-1966	Specification for resistance wires, tapes and strips for heating elements
90	IS : 3726-1966	Specification for knurled thumb screws
91	IS : 3727-1966	Specification for wing screws
92	IS : 3728-1966	Specification for wooden boxes for packaging apples
93	IS : 3729-1966	Specification for corn sampler (parkhi type)
94	IS : 3730-1966	Specification for polythylene buckets
95	IS : 3731-1966	Grading rules for teak squares
96	IS : 3732-1966	Specification for rigid liferafts
97	IS : 3733-1966	Conventional signs for ship ventilation systems
98	IS : 3734-1966	Dimensions for worm gearing
99	IS : 3735-1966	Specification for canvas shoes, rubber sole
100	IS : 3736-1966	Specification for canvas boots, rubber sole
101	IS : 3737-1966	Specification for leather safety boots for workers in heavy metal industries
102	IS : 3738-1966	Specification for rubber knee boots
103	IS : 3740-1966	Specification for tubes, glass, for pathological work
104	IS : 3741-1966	Specification for tubes, sedimentation
105	IS : 3742-1966	Specification for pipettes, dilution for haemocytometers
106	IS : 3744-1966	Specification for hose binding machine
107	IS : 3745-1966	Specification for yoke type valve connections for medical gas cylenders
108	IS : 3747-1966	Specification for steel for flanging and pressing
109	IS : 3748-1966	Specification for tool and die steels for hot work
110	IS : 3749-1966	Specification for tool and die steels for cold work
111	IS : 3750-1966	Specification for jute corn sack cloth
112	IS : 3751-1966	Specification for heavy cee cloth
113	IS : 3755-1966	Specification for emeryfillets
114	IS : 3757-1966	Specification for high-tensile friction grip fasteners for structural engineering purposes
115	IS : 3758-1966	Specification for hooks, aural
116	IS : 3759-1966	Specification for blades, skin grafting
117	IS : 3760-1966	Specification for probe, aural, Jobson Horne's pattern
118	IS : 3761-1966	Specification for metal side racks (adjustable type)
119	IS : 3766-1966	Mehtod for calibration of pendulum impact machines for testing steels
120	IS : 3767-1966	Specification for hook skin, gillies pattern
121	IS : 3768-1966	Specification for PVC-Ventilation tubing (flexible dusting)
122	IS : 3769-1966	Specification for pugree cloth, cotton khadi
123	IS : 3770-1966	Specification for dostui, cotton khadi
124	IS : 3771-1966	Specification for long cloth, cotton khadi, bleached
125	IS : 3772-1966	Specification for maz, cotton khadi, scoured
126	IS : 3773-1966	Specification for napkins cotton khadi, bleached
127	IS : 3774-1966	Specification for table cloth, cotton khadi, bleached
128	IS : 3775-1966	Specification for buckaback towels, cotton khadi, bleached
129	IS : 3776-1966	Specification for bedsheets, cotton khadi, bleached
130	IS : 3777-1966	Specificationfor dusters, cotton khadi, bleached
131	IS : 3778-1966	Specification for dungri cloth, cotton khadi, bleached


(1)	(2)	(3)
132	IS : 3779—1966	Specification for sheeting cloth, cotton khadi, bleached
133	IS : 3780—1966	Specification for lining cloth, cotton khadi, dyed
134	IS : 3781—1966	Specification for honeycomb towels, cotton khadi, bleached
135	IS : 3782—1966	Specification for sponge cloth, cotton khadi, grey
136	IS : 3783—1966	Specification for blankets, superior, brick-red wool khadi
137	IS : 3784—1966	Specification for cotton khadi, bleached for general purposes
138	IS : 3785—1966	Specification for wicket keeping gauntlets
139	IS : 3787—1966	Specification for gag, mouth, cleft palate
140	IS : 3788—1966	Specification for specula aural
141	IS : 3789—1966	Specification for bare cloth take-up rollers for plain cotton looms
142	IS : 3793—1966	Specification for live centres
143	IS : 3794—1966	Specification for Liverpool twill (L-twill) bags
144	IS : 3795—1966	Specification for fenugreek, whole
145	IS : 3796—1966	Specification for fennel seeds, whole
146	IS : 3797—1966	Specification for celery seeds
147	IS : 3799—1966	Specification for forceps, aural and nasal, crocodile action
148	IS : 3801—1966	Specification for guavas
149	IS : 3802—1966	Specification for roasted coffee-chicory powder
150	IS : 3816—1966	Specification for connecting ords for sewing machines for household purposes
151	IS : 3817—1966	Specification for arm shafts for sewing machines for household purposes
152	IS : 3825—1966	Specification for inset mail wire healds for jute weaving
153	IS : 3823(Part III)—1966	Methods of evaluating static load ratings of rolling bearings Part III Thrust ball bearings
154	IS : 3827—1966	Specification for riboflavin
155	IS : 3828—1966	Specification ventilator chains
156	IS : 3831—1966	Specification for dressing drums
157	IS : 3834—1966	Specification for lease rods for cotton looms
158	IS : 3835—1966	Specification for aluminized steel core wire for aluminium conductors (ACSR)
159	IS : 3837—1966	Specification for accessories for rigid steel conduits for electrical wiring
160	IS : 3838—1966	Specification for self-raising flour
161	IS : 3839—1966	Specification for self-food yeast
161(a)	IS : 3841—1966	Specification for β -carotene
162	IS : 3843—1966	Specification for steel backflap hinges
163	IS : 3848—1966	Method for end quench test for hardenability of steel
164	IS : 3855—1966	Specification for rectangular and square enamelled copper conductors
165	IS : 3856—1966	Method for testing flax fabrics for resistance to attack by micro-organisms
166	IS : 3857—1966	Method for determination of colour fastness of textile materials to acid felting mild
167	IS : 3858—1966	Specification for benzyl acetate
168	IS : 3861—1966	Method for measurement of areas and cubical contents in buildings
169	IS : 3862—1966	Specification for packing of rayon staple fibres
170	IS : 3868—1966	Specification for feedlifting rock shaft for sewing machines for household purposes
171	IS : 3869 (Part I)—1966	Shortwall coal cutting machines Part I general requirements for skid-mounted shortwall coal cutting machines
172	IS : 3870—1966	Code of practice for handling gas cylinders and related equipment intended for medical use
173	IS : 3880—1966	Specification for canned mango pulp
174	IS : 3883—1966	Specification for canned tomato puree
175	IS : 3891—1966	Specification for layout for honey processing unit
176	IS : 3892—1966	Specification for frozen lobster tails
177	IS : 3894—1966	Specification for comb foundation mill

New Delhi, the 27th April 1967

S.O. 1633.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution hereby notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 1 April, 1967.

THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
1		Flexible cables for miner's cap-lamps	IS: 2593—1964 Specification for flexible cables for miner's cap-lamps	The monogram of the Indian Standards Institution consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.

[No. MD/17:2.]

S.O. 1634.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee per unit for Flexible cables for miner's cap-lamps, details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1 April, 1967.

THE SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit
(1)	(2)	(3)	(4)	(5)
1	Flexible cables for miner's cap-lamps	IS: 2593—1964 Specification for flexible cables for miner's cap-lamps	100 Metres	Re. 1.00

[No. MD/18:2.]

S. K. SEN,
Deputy Director General.

